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MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 24

October 9, 1905 - June 1, 1908

THE NATIONAL ARCHIVES
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NOTES ON ROLL 24

The three volumes reproduced on this roll have the following backstrip titles: (1) "Minutes / 1905. / Supreme Court / of the / United States," (2) "Minutes / 1906. / Supreme Court / of the / United States," and (3) "Minutes / 1907 / Supreme Court / of the / United States." They contain the minutes of the Supreme Court of the United States from October 9, 1905, to June 1, 1908.

The first volume contains the minutes of the Court from October 9, 1905, to May 29, 1906; the second, from October 8, 1906, to May 27, 1907; and the third, from October 14, 1907, to June 1, 1908.

VOLUME

1905

At the Capitol of the United States, in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October (being the ninth day of the same month) in the year of Our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth, the Supreme Court of the United States met agreeably to law.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Moody it is ordered that John J. Winn, Esquire, of Haverhill, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Monday, October 9th, 1905, Continued.

On motion first made to the Court in this behalf by Mr. A. E. Dowell it is ordered that Benjamin R. Johnson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles N. Robb it is ordered that A. B. Hayes and Hiram A. Henderson, Esquires, of Ogden, State of Utah, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Townsend it is ordered that Robert M. Montgomery, Esquire, of Lansing, and F. E. Priddy, Esquire, of Adrian, State of Michigan, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Dymond Jr. it is ordered that George H. Terriberry and William J. Hennessey, Esquires, of New Orleans, State of Louisiana, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Adonis Taylor it is ordered that J. N.

be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Keegin it is ordered that Walter M. Bickford, Esquire, of Butte, State of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Kearney it is ordered that Louis C. White, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Paul Charlton, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chief Justice announced that all motions noticed for to-day would be heard tomorrow, and that the Court would commence the call of the docket tomorrow pursuant to the 70th Rule.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 10th, 1905.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White, Associate
Rufus W. Peckham, Justices.
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Heber J. May it is ordered that J. N. Searles, Esquire, of Stillwater, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Alexander Akerman, Esquire, of Macon, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Frederic W. Lincoln et al,
114 of Oct. Term, 1905. vs. Pffs in Error.
The United States.

Warner, Barnes & Co. Limited,
116 of Oct. Term, 1905. vs. Appellant.
The United States.

Mr. Attorney General Moody submitted to the consideration of the Court a motion for an oral re-argument of these cases.

On motion of Mr. Henry M. Ward, of counsel for plaintiffs in error and appellant leave is hereby granted him to file briefs, as provided by the order of May 29th last on or before Monday next and to the Solicitor General to file a reply thereto within five days thereafter.

13. Edward J. Pearey
vs. Pff in Error.
Nevada N. Stranahan.

On motion of Mr. Solicitor General Hoyt, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to provisions of section 7 of Rule 46.

28. The United States of America,
vs.
The A. C. McElroy Manufg Co.

On motion of Mr. Solicitor General, Hoyt. It is ordered by the Court that this cause be, and the same is hereby, passed for settlement.

1146. Cheung Kim Nim, Appellant, vs. The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the appellee, and a stipulation of counsel for the respective parties to dismiss this appeal having been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

(Per Mr. Chief Justice Fuller.)

1147. Chew King, Appellant, vs. The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the appellee, and a stipulation of counsel for the respective parties to dismiss this appeal having been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

(Per Mr. Chief Justice Fuller.)

148. Lee Gue, Appellant, vs. The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the appellee, and a stipulation of counsel for the respective parties to dismiss this appeal having been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is, hereby, dismissed.

Per Mr. Chief Justice Fuller.

149. Chin Chew Tong, (called in these proceedings Chain Chis Tong) Appellant, vs. The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the appellee, and a stipulation of counsel for the respective parties to dismiss this appeal having been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

150. Cheung Pang, Appellant, vs. The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the appellee, and a stipulation of counsel for the respective parties to dismiss this appeal having been filed, Therefore, in pursuance of said Stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

(per Mr. Chief Justice Fuller.)

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381. Lewis M. Alexander, Appellant, vs. The United States,
382. George A. Whiting, Appellant, vs. The United States,
383. William Z. Stuart, Appellant, vs. The United States,
384. General Paper Co., Appellant, vs. The United States,
385. E. T. Harmon et al., Appellants, vs. The United States.

Mr. Solicitor General Hoyt, of counsel for the appellee, submitted to the consideration of the Court a motion to advance these cases.

340. Edwin T. Hale, Appellant, vs. William Kendel, U.S. Marshal &c.
341. William H. McAlister, Appellant, vs. William Kendel, U.S. Marshal &c.

Mr. Solicitor General Hoyt, of counsel for the appellee, submitted to the consideration of the Court a motion to advance these cases.

223. The United States, Appellant, vs. Bitter Root Development Co. et al. — Mr. Solicitor General, Hoyt of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

359. The United States, Appellant, vs. William A. Clark — Mr. Solicitor General Hoyt of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

410. The Aetna Indemnity Co., Petitioner, vs. William M. Ladd et al. — The petition for a writ of certiorari herein to the consideration of the Court on printed arguments by Mr. Joseph C. Campbell, Mr. H. A. Metzon and Mr. George M. Mackelvie in support of the same, and Mr. George A. Williams and Mr. C. E. S. Wood, in opposition thereto.

7, Original. The State of Kansas, Complainant, vs. The State of Colorado et al. — Mr. C. C. Coleman, of counsel for the complainant, submitted to the consideration of the Court a motion to fix a day for the hearing of this cause, and leave was granted counsel for the defendants to file a brief in relation thereto.

337. Ah Sou, Appellant
vs.
The United States
The petition for a writ
certiorari herein w
submitted to the consi
ation of the Court on
printed arguments by Mr. John M. Thurston
support of the same, and Mr. Solicitor Genera
Hoyt, in opposition thereto.

407. Anna Siegel
vs.
The New York & Hudson
Railroad Co. et al.
Motion for leave to file in error
Mr. Edward Winslo
Paige, of counsel for
defendants in error, s
mitted to the consi
tion of the Court a

259. Samuel W. Watkins,
vs.
American National Bank
of Denver.
Motion for leave to file in error
The motions to a
miss or affirm
this cause were s
mitted to the Cou
ation of the Court
the record and printed arguments by Mr. T.
O'Donnell and Mr. R. T. McNutt, in support of
same, and Mr. George A. Noyes, in opposition
The petition for a writ of certiorari herein w
submitted to the consideration of the Court on pri
arguments by Mr. George A. Noyes, in support
same, and Mr. T. J. O'Donnell and Mr. R. T. McNu
in opposition thereto.
Mr. George A. Noyes, of counsel for the plaintiff
error, submitted to the consideration of the Court a

petition until the hearing of the cause on the merits.

368. Mary Mabel Rogers vs. Henry H. Peck et al. Appellant. The motion to advance this cause was submitted to the consideration of the Court by Mr. Clarke & Mr. Pitts, in support of the same, and Mr. Jeffords and Mr. D. M. Butler, in opposition thereto.

77. James B. Howard vs. The Commonwealth of Kentucky. Plff in Error. Mr. N. B. Hays, of Counsel, for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

Robert D. Kinney vs. James T. Mitchell, Plff in Error. On motion of Mr. Robert D. Kinney, leave is hereby granted him to docket this cause on entering his appearance in proper person.

427. Robert D. Kinney vs. James T. Mitchell, Plff in Error. Mr. Robert D. Kinney submitted to the consideration of the Court a motion to advance this cause.

360. M. H. Carper, Sheriff &c., vs. C. T. Caldwell, Appellant. The motion to advance this cause was submitted to the consid

by Mr. Lawrence Maxwell, Jr., in support of the same, and Mr. C. T. Caldwell, in propria persona, in opposition thereof.

Ex parte In the matter of The United States of America on the relation of Leonidas M. Lawson et al., Petitioners. Mr. William Frye, White, in behalf of Counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Giuseppe Marmo, Appellant, vs. William C. Nicoll, Sheriff &c. 478. Mr. Charles F. Wilson, of Counsel for the appellee, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States,
For the District of New Jersey.

I, Henry D. Oliphant, Clerk of the Circuit Court of the United States for the District of New Jersey, do hereby certify that in a certain cause pending in said Court wherein Giuseppe Marmo was petitioner and William C. Nicoll, Sheriff &c., was defendant, an order denying petition for writ of habeas corpus was rendered by said Circuit Court on the thirty-first day of May, A.D. 1905, in favor of the said defendant, and against the said petitioner, and that on the thirty-first day of May, A.D. 1905 said petitioner prayed an appeal

allowed and transcript forwarded to the Clerk of the U.S. Supreme Court June 26, 1905.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Circuit Court, at Trenton this 26th day of September, A.D. 1905.

(Seal) A.D. Oliphant, Clerk."

moved the Court to docket and dismiss this cause, pursuant to the 9th rule: and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the Rules of this Court, It is now here ordered, adjudged, and decreed by this Court that this appeal from the Circuit Court of the United States, for the District of New Jersey be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.)

The State of Missouri, Complainant, vs. The State of Illinois et al. No. Original.

Mr. Frank S. Bright, on behalf of counsel, submitted to the consideration of the Court a motion to extend the time within which counsel for the defendants may file briefs.

111. The New York Life Insurance Company, Plff in Error, vs. Annie E. English. In Error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas.

This cause having been called to the attention of the Court by Mr. F. D. McKenney, of counsel for the plaintiff in error, and a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause having been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

111. The New York Life Insurance Co., Plff in Error, vs. Annie E. English. On motion of Mr. F. D. McKenney, of Counsel for the plaintiff in error,

leave is hereby granted the Clerk to issue the mandate in this cause.

76. Tacoma Mill Company, Petitioner, vs. Black Hills & Northwestern Railway Co., et al. On writ of Certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. Frederic D. McKenney, of counsel for the petitioner, and a stipulation of counsel for the re-

having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of certiorari in this cause be, and the same is hereby, dismissed, each party to pay its own costs.

Per Mr. Chief Justice Fuller.

331. Henry A. Blair et al., Receivers &c., et al. Appts., vs. The City of Chicago et al.
332. The North Chicago City Ry Co., Appt vs. Henry A. Blair et al, Receivers &c, et al.
333. City of Chicago, Appt, vs. John C. Felzer et al, Receivers &c, et al.
334. Henry A. Blair et al, Receivers &c, et al, Appts, vs. The City of Chicago et al.
335. The Chicago West Division Ry Co., Appt vs. Henry A. Blair et al, Receivers &c. et al.
336. City of Chicago, Appt, vs. John C. Felzer et al, Receivers &c, et al.

The motions to advance these cases were submitted to the consideration of the Court by Mr. Frederic D. McKenney in behalf of Counsel for the Receivers and Railway Companies in support of the same, and Mr. James Hamilton Lewis and Mr. C. S. Darrow, of Counsel for the City of Chicago, in opposition thereto.

Mr. Holmes Conrad, in behalf of Counsel for the City of Chicago, submitted to the consideration of the Court suggestions of diminution of the records and motions for writs of certiorari in these cases; and leave was granted Counsel to file briefs in opposition thereto within one week.

The State of Wisconsin, Complainant,
19, Original. vs.
Ethan Allen Hitchcock, Secretary of the Interior.

On motion of Mr. William C. Prentiss, in behalf of Counsel for the Complainant, leave is hereby grant

Motion of Mr. Assistant Attorney General C
of Counsel for the defendant, leave is hereby g
to file a demurrer thereto within ten days

No. 93. Wabash Railroad Company, Plff in Error, vs. W. H. Summers. In Error to the Appeals of the Missouri

It appearing to the Court that a motion by
for the plaintiff in error to dismiss the writ
in this cause has been filed, Therefore, in pu
of said motion, It is now here ordered and
by this Court that the writ of error in this
and the same is hereby dismissed, with
Per Mr. Chief Justice.

No. 94. Wabash Railroad Company, Plff in Error, vs. James Hendricks, In Error to the of Appeals of the Missouri

It appearing to the Court that a motion by
for the plaintiff in error to dismiss the writ
in this cause has been filed, Therefore, in pu
of said motion, It is now here ordered and a
by this Court that the writ of error in this
and the same is hereby, dismissed with
Per Mr. Chief Justice. Th

95. Wabash Railroad Company vs. Iliff in Error; S. M. Rice, } In Error to the Court of Appeals of St. Louis, Missouri.

It appearing to the Court that a motion by Counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

109. C. M. Barnes, Mayor of the City of Guthrie, et al., vs. Appellants, C. W. Turner and James A. Kirkwood, } Appeal from the Supreme Court of the Territory of Oklahoma.

It appearing to the Court that a motion by Counsel for the appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

120. National Accident Society, Plff in Error, vs. William Bruce Martin, Judge of the Court of Law and Chancery. In Error to the Supreme Court of Appeals of the State of Virginia.

It appearing to the Court that a motion by Counsel for the Plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this Cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

132. Galen E. Green, Plff in Error, vs. David Stewart. In Error to the Court of Appeals of the District of Columbia.

It appearing to the Court that a motion by Counsel for the Plaintiff in error to dismiss the writ of error in this Cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this Cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

136. Pablo Ubarri and Rufino Ubarri, Plffs in Error, vs. Pedro C. Correa y Rodriguez, Rosaura Correa, Antonio Sampol et al. In Error to the District Court of the United States for the District of Porto Rico

It appearing to the Court that a motion by counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

143. The Chicago and Erie Railroad Company, Plff in Error, vs. J. M. Jacoby, Administrator of the Estate of Ross Shattuck, deceased. In Error to the Supreme Court of the State of Ohio

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

187. Wabash Railroad Company, Plff in Error, v. John Sloop. In Error to the Court of Appeals of Kansas City, Missouri.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered & adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

205. William C. Jutte, Plff in Error, v. The Monongahela River Consolidated Coal & Coke Co., In Error to the Supreme Court of the State of Pennsylvania.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

364. Jerry E. Donovan, Plff in Error, v. Michael F. Berry. In Error to the Superior Court of the State of Massachusetts.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in

this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered & adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

9. The United States, Appellant, vs. The Missouri, Kansas & Texas Railway Company et al. Appeal from the Circuit Court of the United States for the District of Kansas.

This cause having been called for hearing in its regular order, and Mr. Solicitor General Hoyt, of counsel for the appellant, having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

14. Erie Railroad Company, Plff in Error, vs. George N. Tilney. In Error to the Supreme Court of the State of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that this is the second term at which this cause has been called for argument, and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the

rule of this Court. Whereupon, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

116. Cheung Kim Nim, Appt, vs. The United States,
117. Chew King, Appellant, vs. The United States,
118. Lee Sue, Appellant, vs. The United States,
119. Chin Chew Fong, Appt, vs. The United States,
120. Cheung Pang, Appellant, vs. The United States.

On Motion of Mr. Solicitor General Hoyt, of Counsel for the Appellee, leave is hereby granted, the Clerk to issue the mandates in these cases.

11, Original. State of Louisiana, Complainant, vs. State of Mississippi.

On motion of Mr. Walter Guion, of Counsel for the Complainant, It is ordered by the Court that three Counsel be allowed to argue this cause for each party and that four hours be allowed Counsel on each side for the argument.

11, Original. State of Louisiana, Complainant, vs. State of Mississippi.

The argument of this cause was commenced by Mr. John Dymond Jr., of Counsel for the Complainant, and Continued by Mr. T. C. Zacharie, of Counsel for the Complainant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices

John M. Wright, Esquire, Marshal.,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Alexander Pope Humphrey it is ordered that Edwin S. McAnany, Esquire, of Kansas City, State of Kansas, and W. N. Field, Esquire, of Louisville, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Monroe McClung it is ordered that James H. Neville, Esquire, of Gulfport, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. C. Zacharie it is ordered that George C. Walshe, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

23.	Charles E. Dawson and Julia Dawson, vs. Thomas E. Waggaman, Collector of the estate of Bridget Gleason, deceased.	Pffs in Error,	In Error to the Court of Appeals of the District of Columbia.

It appearing to the Court that an authority of counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

8.	Thomas E. Davis, vs. Jacob Living et al.	Pff in Error,	In Error to the Supreme Court of Appeals of the State of West Virginia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by the

writ of error in this cause be, and the same is hereby dismissed with costs.

(Per Mr. Chief Justice Fuller.)

State of Louisiana,
11, Original. vs. Complainant
State of Mississippi,

The argument of this cause was continued by Mr. R. C. Zachary, of counsel for the complainant, Mr. Harris Dickson, Mr. J. N. Flowers and Mr. Monroe McClung, of counsel for the defendant, and Mr. Walter Guion, of counsel for the complainant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, October 12th, 1905.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. Alexander Pope Humphreys it is ordered that Thomas Allen Perkins, Esquire, of San Francisco, State of California, and A. Gordon Murray, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Faulkner it is ordered that W. G. Peterkin, Esquire, of Parkersburg, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Dudley it is ordered that E. S. Daniels, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank L. Campbell it is ordered that Frank Freeman, Esquire, of Willows, Glenn County, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin W. Sims it is ordered that E. Myron Wolf, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

State of Louisiana, Complainant,
11, Original. vs.
State of Mississippi, Defendant.

The argument of this cause was concluded by Mr. Walter Guion, of counsel for the complainant. Leave was granted counsel for the complainant to file an additional brief herein within five days and to counsel for the defendant to file a reply thereto within five days thereafter.

163. E. A. Hinrichs, Superintendent &c. vs. Appellant, Henry Jamison. This cause was argued by Mr. Winter Wimberly, of Counsel for the appellant, and Mr. Alexander Akerman, of Counsel for the appellee.

6. Florida McGuire et al., vs. Petitioners, William A. Blount et al. The argument of this cause was commenced by Mr. Benjamin Mison, of Counsel for the petitioners, and continued by Mr. William A. Blount, of Counsel for the respondents.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that R. N. Warren, Esquire, of Sioux Falls, State of South Dakota, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Reinhardt J. Harding, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. R. Webster it is ordered that Timothy Byron Clark, Esquire, of Plattsmouth, State of Nebraska, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

241. The West Chicago Street Railroad Company, Plff in Error, vs. The People of the State of Illinois ex rel. The City of Chicago. (to advance this cause.)

Mr. Frederic D. McKenney, in behalf of Counsel, submitted to the consideration of the Court motion

6. Florida McGuire et al., Petitioners, vs. William A. Blount et al.

The argument of this cause was continued by Mr. William A. Blount, of counsel for the respondents, and concluded by Mr. Benjamin Micou, of counsel for the petitioners.

84. Union Refrigerator Transit Co., Plff in Error, vs. The Commonwealth of Kentucky by W. L. Weller Jr., Revenue Agent.

The argument of this cause was commenced by Mr. N. K. Field, of counsel for the plaintiff in error, and continued by Mr. N. L. Stone, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John J. Hemphill it is ordered that William Henry White, Esquire, of Washington, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that Herbert A. Bailey, Esquire, of Troy, and Joseph S. Auerbach, Esquire, of New York City, State of New York, Frank W. Burnett, Esquire, of Los Angeles, State of California, and Reginald S. Hinderleper, Esquire, of

as attorneys and counsellors of this Court and were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Russell it is ordered that E. Crowell, Esquire, of Lawrence, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Russell it is ordered that Ruthven A. Towner, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Charles Lee Tilden and Sheldon G. Kellogg, Esquires, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James R. Garfield it is ordered that George William Reed, Esquire, of Oakland, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State of Missouri, Complainant,
vs.
4, Original. The State of Illinois et al.

On consideration of the motion to extend the time within which counsel for the defendants may file briefs herein, It is now here ordered by the Court that said counsel be given until November 15th within which to file briefs.

Per Mr. Chief Justice Fuller.

The State of Missouri, Complainant,
vs.
4, Original. The State of Illinois et al.

On consideration of the motion to fix a day for the argument of this cause, It is now here ordered by the Court that this cause be, and the same is hereby, assigned for argument on Tuesday, January 2, 1906.

Per Mr. Chief Justice Fuller.

The State of Missouri, Complainant,
vs.
4, Original. The State of Illinois et al.

On consideration of the motion to fix the compensation of the Commissioner, for his services for supervising the printing and indexing the evidence taken in this cause, It is now here ordered by the Court that he be allowed the same compensation as is allowed the Clerk of this Court, under the rules, for similar services.

Per Mr. Chief Justice Fuller.

The State of Kansas, Complainant,
7, Original. vs.
The State of Colorado et al.
The United States, Intervenor.

On consideration application of al parties to this ca to fix a day for hearing of this ca

It is now here ordered by the Court that this be, and the same is hereby, assigned for argum on Tuesday, October 31st, 1905.

It is further ordered that Counsel for the Sta Kansas file their briefs within three months t after; that Counsel for the State of Colorado et a their briefs within three months thereafter; an Counsel for The United States be allowed three to file briefs thereupon.

Per Mr. Chief Justice Fulle

Ex parte In the matter of
The United States ex rel. Leonidas M. Lawson et al.,
Petitioners.

On considerat of the motion f leave to file a p tition for a wr of mandamus

It is now here ordered by the Court that said m tion be, and the same is hereby, denied.

Per Mr. Chief Justice Fulle

The Guardian Trust & Deposit Company et al.,
vs.
B. J. Fisher et al.

On considera of the petition f a writ of certio to bring up the entire record Cause [illegible]

now here ordered by the Court that said petition be, and the same is hereby, granted, and that the record presented with the petition stand as a return to the writ.

(per Mr. Chief Justice Fuller.)

1197. James B. Howard, vs. Riffin Ezzell, The Commonwealth of Kentucky. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same, is hereby, denied.

(per Mr. Chief Justice Fuller.)

1197. Robert D. Kinney, vs. Riffin Ezzell, James P. Mitchell. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby denied.

(per Mr. Chief Justice Fuller.)

1340. Edwin F. Hale, Appt, vs. William Henkel, U.S. Marshal &c.
1341. William H. McAlister, Appt, vs. William Henkel, U.S. Marshal &c.

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument, as one case, on Tuesday, January 9, 1906, after the case heretofore assigned for that day.

(per Mr. Chief Justice Fuller.)

381. Lewis M. Alexander, Appellant, vs. The United S
382. George A. Whiting, Appellant, vs. The United S
383. William J. Stuart, Appellant, vs. The United S
384. General Paper Co., Appellant, vs. The United S
385. C. P. Harmon et al., Appellants, vs. The United S

On consideration of the motion to advance
causes, It is now here ordered by the Court tha
said motion be, and the same is hereby, grant
and the causes assigned for argument, as
case, on Tuesday, January 2, 1906, after
cases heretofore assigned for that day.

Per Mr. Chief Justice Fulle

773. The United States, Appellant, vs. Bitter Root Development Company et al.

On consideration
the motion to adv
this cause, It is n
here ordered by t
Court that said mo
be, and the same is hereby, granted, and the ca
assigned for argument on Tuesday, January
1906, after the cases heretofore assigned for th
day.

Per Mr. Chief Justice Fulle

359. The United States, Appellant, vs. William A. Clark.

On consideration of th
motion to advance thi
cause, It is now her
ordered by the Court
that said motion be, and the same is hereby
granted, and the cause assigned for argum
on Tuesday, January 2, 1906, after the ca

heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

241. The West Chicago Street Railroad Co., Pl'ff in Error, vs. The People of the State of Illinois ex rel. The City of Chicago

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, January 2, 1906, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

331. Henry A. Blair et al., Receivers, et al., Appts., vs. The City of Chicago et al.
332. The North Chicago City Ry Co., Appt, vs. Henry A. Blair et al, Receivers, et al.
333. City of Chicago, Appt, vs. John C. Fetzer et al, Receivers, et al.
334. Henry A. Blair et al, Receivers, et al., Appts, vs. The City of Chicago et al.
335. The Chicago West Division Ry Co., Appt, vs. Henry A. Blair et al, Receivers, et al.
336. City of Chicago, Appt, vs. John C. Fetzer et al, Receivers, et al.

On Consideration of the motions to advance these cases, and of the argument of counsel thereupon had, as well in support of as against the same,

It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cases assigned for argument, as one case, on Tuesday, January 2, 1906, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

365. W. A. Carter, Sheriff &c., Appellant, v. C. T. Caldwell.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause advanced as under Rule 32, to be submitted on printed briefs on or before January 8, 1906.

Per Mr. Chief Justice Fuller.

368. Mary Mabel Rogers, Appellant, v. Henry H. Peek et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, November 6th next.

Per Mr. Chief Justice Fuller.

407. Anna Siegel, Plff in Error, v. The New York & Harlem Railroad Company et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, January 2, 1906, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

Leonidas M. Lawson et al., Petitioners, vs. United States Mining Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(per Mr. Chief Justice Fuller.)

Joseph R. DeLamar, Petitioner, vs. Utah-Nevada Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

E. J. Wallbridge, Petitioner, vs. C. P. Walker & Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals

for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

- per Mr. Chief Justice Fuller.

271. Lewis C. Burnes et al., Petitioners, vs. Frances B. Burnes et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

- per Mr. Chief Justice Fuller.

276. Big Six Development Company, Petitioner, vs. S. Duffield Mitchell. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

- per Mr. Chief Justice Fuller.

277. P. S. Bailey, Petitioner, vs. Thomas F. Milleford. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now hereordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Taft.

278. Joseph Bisso et al., Petitioners, vs. Malvina LaQuinette. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now hereordered by the Court that said petition be, and the same is, hereby, denied.

Per Mr. Chief Justice Taft.

410. The Aetna Indemnity Company, Petitioner, vs. William M. Ladd et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari

for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

259. Samuel W. Watkins, Plff'in Error, vs. American National Bank of Denver. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

259. Samuel W. Watkins, Petitioner, vs. American National Bank of Denver. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that

said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

163. E. A. Wimbish, Superintendent of the County Chain Gang, vs. Henry Jamison. Appellant, Appeal from the District Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the final order of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court with a direction to quash the writ and dismiss the petition.

Per Mr. Chief Justice Fuller.

28. The United States of America, vs. The A. B. M. Ebony Manufacturing Company. On a certificate from the United States Circuit Court of Appeals for the Third Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for The United States of America, and he having moved the Court to dismiss this certificate, therefore in

this Court that this certificate be, and the same is, hereby, dismissed.

Per Mr. Chief Justice Fuller.

173. The Otis Company vs. Aff in Error, The Ludlow Manufacturing Company et al.

On motion of Mr. Henry M. Hoyt, in behalf of Counsel, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 16.

1419. Daniel Red Bird et al, Appts, vs. The United States.
1420. The Cherokee Nation, Appt, vs. The United States,
1421. Francis B. Fite et al, Appts, vs. The United States,
1422. The Persons Claiming rights in the Cherokee Nation by intermarriage, Appts, vs. The United States

Mr. John J. Hemphill, of Counsel, submitted to the Consideration of the Court a motion to advance these cases.

178. Security Mutual Life Insurance Co, vs. Aff in Error. Henry R. Prewitt, Insurance Commissioner &c.

Mr. Alexander Pope Humphreys, in behalf of counsel, submitted to the Consideration of the Court a motion to advance this cause.

154. The Hibernia Savings & Loan Society, Aff'ts in Error, vs. The City and County of San Francisco. Mr. H. L. Bishop, of Counsel for the defendant in error, submitted to the consideration of the Court a motion to assign this cause for argument on a day certain pursuant to stipulation of Counsel.

103. The Mobile Transportation Co., Appellant, vs. The City of Mobile et al. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Harry T. Smith and Mr. Gregory L. Smith, in support of the same, and Mr. F. G. Bromberg and Mr. Eugene N. Lewis, in opposition thereto.

69. The Skaneateles Paper Co., et al., vs. The City of Syracuse, Aff'ts in Error. Mr. Martin Conboy, in behalf of Counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to dismiss this cause, and also a motion to remit part of the Clerk's fees herein.

296. Farmers' Loan & Trust Co., et al., vs. City of Sioux Falls et al., Appellants, The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and

printed arguments by Mr. H. N. Keith and Mr. R. N. Warren, in support of the same, and Mr. D. T. Watson and Mr. Bartlett Tripp, in opposition thereto.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. D. T. Watson and Mr. Bartlett Tripp, in support of the same, and Mr. H. N. Keith and Mr. R. N. Warren, in opposition thereto.

1100 J. B. Orcutt Company et al., Petitioners, v. Charles A. Green et al.) The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Reginald S. Hinde Roper, Mr. J. Miller Kenyon, and Mr. Charles Cowles Tucker, in support of the same, and Mr. Herbert D. Bailey, in opposition thereto.

418. (T. Sanford Ross, Incorporated, Petitioner, v. The Steamship "City of Birmingham" &c.) The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. G. Benedict and Mr. Robert D. Benedict, in support of the same, and Mr. Charles S. Haight, in opposition thereto.

374. American Surety Company of New York, Petitioner, v. Campbell & Zell Company, } The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Rutherford H. Downes and Mr. Henry White, in support of the same, and Mr. Bygrove E. Crowell, in opposition thereto.

The State of Georgia, Complainant, v. The Tennessee Copper Company and The Ducktown Sulphur, Copper and Iron Co. Limited. } Mr. John C. Hart, of counsel for the complainant, submitted to the consideration of the Court a motion for leave to file a bill of complaint herein and for a restraining order.

423. D. M. Harrison, Petitioner, v. The Remington Paper Co. } The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. W. H. Rossington and Mr. Charles Blood Smith, in support of the same.

814. Union Refrigerator Transit Co., Plff in Error, v. The Commonwealth of Kentucky, by W. L. Weller Jr., Revenue Agent. } The argument of this cause was continued by Mr. H. L. Stone, of counsel for the defendant in error.

of Counsel for the plaintiff in error.

J. W. Guthrie, et al.,
v. Appeals in Error,
Henry O. Henderson.

This cause was argued by Mr. Abbot R. Heywood, of Counsel for the plaintiffs in error, and Mr. Hiram N. Henderson, of Counsel for the defendant in error.

250. George E. Green,
v. Appellant,
C. D. MacDougall, U. S. Marshal &c.

251. George E. Green,
v. Appellant,
C. D. MacDougall, U. S. Marshal &c.

252. George E. Green,
v. Appellant,
C. D. MacDougall, U. S. Marshal &c.

These cases were argued by Mr. John G. Johnson, of Counsel for the appellant, and Mr. Assistant to the Attorney General Purdy, of Counsel for the appellee.

Proclamation being made the Court is adjourned until, tomorrow at twelve o'clock.

Tuesday, October 17th, 1905.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that G. K. Denton, Esquire, of Evansville, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Consaul it is ordered that Charles E. Butler, Esquire, of Cripple Creek, State of Colorado be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Dorman Jr., Esquire, of Frankfort, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas B. Hardin it is ordered that Richard Saxe Jones, Esquire, of Seattle State of Washington, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

63. The State of South Carolina ex rel. O. W. Buchanan, vs. Writ in Error R. A. Jennings et al. (per stipulation of counsel.)

It is ordered by the Court that this cause be and the same is hereby continued until the next term.

100. Thomas F. Wilson (on behalf of the Territory of Arizona) vs. Appellant, N. O. Murphy et al.

101. Thomas F. Wilson (on behalf of the Territory of Arizona) vs. Appellant, George W. Vickers et al.

It is ordered by the Court that these cases be, and the same are hereby, continued until the next term, (per stipulation of counsel.)

175. George C. Rankin, Receiver &c., Plff in Error
vs.
Edmund E. Barton

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. H. Whiteside, of counsel for the plaintiff in error, and Mr. George A. Vandeveer, of counsel for the defendant in error.

3. The Cedar Rapids Water Co., Plff in Error
vs.
The City of Cedar Rapids et al.

This cause was argued by Mr. Charles F. Clark, of counsel, for the plaintiff in error, and Mr. John N. Hughes, of counsel for the defendants in error.

7. Royal Insurance Co., Plff in Error
vs.
Robert Miller, Special Master

The argument of this cause was commenced by Mr. Frederic D. McKenney, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned, until tomorrow at twelve o'clock.

Wednesday, October 18th, 1905.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

7. Royal Insurance Co., Plff in Error, vs. Robert Miller, Special Master. The argument of this cause was continued by Mr. Frederic D. McKenney, of counsel for the plaintiff in error, and Mr. Fritz V. Briesen, of counsel for the defendant in error, and concluded by Mr. Frederic D. McKenney, of counsel for the plaintiff in error.

11. The Nederland Life Insurance Co., Limited, Petitioner, vs. Mary Meinert. This cause was argued by Mr. John L. Cadwalader, of

petitioner, and Mr. J. K. Denton, of counsel for the respondent.

Proclamation being made the Court is adjourned until Tomorrow at twelve o'clock.

Thursday, October 19th, 1905.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Harris Taylor it is ordered that Harlan F. Burket, Esquire, of Findlay, and Benjamin F. Jones, Esquire, of Bowling Green, State of Ohio be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry B. Graves it is ordered that Fred H. Stone, Esquire, of Hillsdale, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that Randolph Harrison, Esquire, of Lynchburg, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Patrick it is ordered that Frank T. Post, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

14. Reuben Hodges et al., Plffs in Error vs. The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James R. Clarke, of counsel for the plaintiffs in error, and Mr. Assistant to the Attorney General Purdy, of counsel for the defendant in error.

15. The People of the State of Illinois ex rel. Frank O. Anderson, Plff in Error, vs. William Vredenburgh, Insurance Superintendent &c.

16. The Continental Ins. Co., of Illinois, Plff in Error vs. William Vredenburgh, Insurance Superintendent &c.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. George W. Wall, of counsel for the defendant in error.

for the plaintiffs in error.)

17. Nicholas Bowden, Executor &c, et al, (Appellants, vs. The City and County of San Francisco.) This cause was argued by Mr. E. B. Kellogg, of counsel for the appellants, and Mr. H. S. Brobeck, of counsel for the appellee.)

18. Union Pacific Railroad Co., (Appellant, vs. Mason City & Fort Dodge Railroad Company.) The argument of this cause was commenced by Mr. John N. Baldwin, of counsel for the appellant.)

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Kearney it is ordered that John M. Speleman, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maxwell Evarts it is ordered that Lewis Grant Davis, Esquire, of Piqua, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

18. Union Pacific Railroad Co., Appellant, vs. Mason City & Fort Dodge Railroad Company.

The argument of this cause was continued by Mr. John R. Baldwin, of counsel for the appellant and Mr. Frank B. Kellogg, of counsel for the appellee, and concluded by Mr. Maxwell Evarts, of counsel for the appellant.

19. William Marvin, Plff in Error, vs. Belle B. Trout.

20. William Marvin, Plff in Error, vs. Belle B. Trout.

The argument of these cases was commenced by Mr. George F. Pendleton, of counsel for the Plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 23d. 1905.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Henry A. Vieth, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that Robert Watson Winston, Esquire, of Durham, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Thom, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. T. Michener it is ordered that Francis M. Phelps, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. Frederick DeCourcy Faust it is ordered that W. A. Carter, Esquire, of Tampa, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. W. Baker it is ordered that Jesse Addison Hicks, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

13, Original. The State of Georgia, Complainant, vs. The Tennessee Copper Company and The Ducktown Sulphur, Copper & Iron Company, Limited.

On consideration of the motion for leave to file the bill of complaint herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that a subpoena returnable on Monday,

January 15, 1906, next be issued and served herein.

per Mr. Chief Justice Fuller.

13, Original. The State of Georgia, Complainant, vs. The Tennessee Copper Company and The Ducktown Sulphur, Copper & Iron Company, Limited. On consideration of the motion of counsel for the complainant herein for a restraining order,

It is now here ordered by the Court that cause be shown by the defendants in this cause before this Court on Monday, December 4th next why such restraining order should not be granted.

per Mr. Chief Justice Fuller.

69. The Skaneateles Paper Co., et al., Plffs in Error, vs. The City of Syracuse. On consideration of the motion to remit part of the Clerk's fee for supervising the printing of the record in this cause and of the motion to pass the case,

It is now here ordered by the Court that the record agreed on may be treated and printed as the record in the case and the Clerk's fee for supervising the printing &c. will be limited to such record.

It is further ordered that the cause be passed temporarily.

per Mr. Chief Justice Fuller.

103. The Mobile Transportation Co., Appellant, v. The City of Mobile et al. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

1514. The Hibernia Savings & Loan Society, Aff'g in Error, v. The City and County of San Francisco. On consideration of the motion to assign this cause for argument on a day certain, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

178. Security Mutual Life Insurance Co., Aff'g in Error, v. Henry R. Prewitt, Insurance Commissioner &c. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Tuesday, January 2, 1906, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

419.
430.
431.
439.
400.
239.

Daniel Red Bird et al. Appts vs. The United States,
The Cherokee Nation, Appt vs. The United States,
Francis B. Pile et al. Appts, vs. The United States,
The Persons claiming rights, the Cherokee Nation by intermarriage Appellants } vs. The United States,

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the causes assigned for argument, as one case, on Monday February 19, 1906.

Per Mr. Chief Justice Fuller.

J. B. Orcutt Company et al., Petitioners, vs. Charles H. Green et al. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court, that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

Ah Sou, Petitioner, vs. The United States } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari

for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

377. American Surety Company of New York, Petitioner, vs. Campbell & Zell Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

418. P. Sanford Ross, Incorporated, Petitioner, vs. The Steamship "City of Birmingham" &c., The Ocean Steamship Co., of Savannah, Claimant. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said pe-

423. P. H. Harrison, Petitioner, vs. The Remington Paper Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

331. Henry A. Blair et al, Receivers, et al, Appts, vs. The City of Chicago et al.
332. The North Chicago City Ry Co., Appt, vs. Henry A. Blair et al, Receivers, et al
333. City of Chicago, Appt, vs. John C. Felzer et al, Receivers, et al
334. Henry A. Blair et al, Receivers, et al, Appts vs. The City of Chicago et al.
335. The Chicago West Division Ry Co., Appt, vs. Henry A. Blair et al, Receivers, et al
336. City of Chicago, Appt, vs. John C. Felzer et al, Receivers, et al

On consideration of the suggestions of diminution of record and motions for writs of certiorari in these cases and of the stipulations of counsel in respect of the records sought to be brought up, It is ordered by the Court that leave be, and the same is hereby, granted to The City of Chicago to file and print such records or parts thereof as it may be advised, without prejudice.

Per Mr. Chief Justice Fuller.

14. The Cedar Rapids Water Company, Plff in Error, vs. The City of Cedar Rapids, Iowa, et al. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

15. The People of the State of Illinois by rel. Frank O. Anderson, Plff in Error, vs. William Vredenburgh, Insurance Superintendent of the State of Illinois. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

16. The Continental Insurance Company of Illinois vs. Plff in Error, William Vedenburgh, Insurance Superintendent of the State of Illinois. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

17. Nicholas Bowden, Executor of the last will of Laura L. Delaney, deceased, Mary A. McCurrie et al., vs. Appellants, The City and County of San Francisco. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

250. George E. Green, Appellant, v. Clinton D. MacDougall, United States Marshal for the Northern District of New York. Appeal from the District Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

251. George E. Green, Appellant, v. Clinton D. MacDougall, United States Marshal for the Northern District of New York. Appeal from the District Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

252. George E. Green, Appellant, vs. Milton D. MacDougall, United States Marshal for the Northern District of New York. Appeal from the District Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of New York, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

946. Farmers' Loan & Trust Company, The South Dakota Water Co., et al., Appellants, vs. City of Sioux Falls, George W. Burnside, Mayor, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby dismissed for the want of jurisdiction

Farmers Loan & Trust Company The South Dakota Water Co., et al., Petitioners, vs. City of Sioux Falls, George W. Burnside, Mayor, et al.

On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

(In consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.)

309. Martin Conboy, Trustee &c., Appellant, vs. First National Bank of Jersey City

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. William G. Wilson, in support of the same, and Mr. Martin Conboy, in opposition thereto.

386. Ernest Gatewood, Plff in Error, vs. The State of North Carolina.

Mr. R. W. Winston, of Counsel for the Plaintiff in error, submitted to the Consideration of the Court a motion to advance this cause.)

1133. Erie Railroad Company, Petitioner, vs. Erie & Western Transportation Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. E. Kremer and Mr. W. O. Johnson, in support of the same, and Mr. Harvey D. Goulder, Mr. S. A. Holding and Mr. G. S. Maston in opposition thereto.

1137. Empire State-Idaho Mining & Developing Company, Petitioner, vs. Bunker Hill & Sullivan Mining and Concentrating Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank G. Post and Mr. George Turner, in support of the same, and Mr. Curtis A. Lindley, Mr. Henry Eickhoff, and Mr. M. A. Folsom, in opposition thereto.

2911. Warren B. Wilson, Appellant, vs. Leslie M. Shaw, Secretary of the Treasury. Mr. Warren B. Wilson submitted to the consideration of the Court a motion to advance this cause.

127. N. J. McCahan Sugar Refining Co. Petitioner, vs. The Steamship "Wilderoft" &c. The petition for leave to take additional testimony herein was submitted to

by Mr. Charles R. Hedrick and Mr. J. Parker Kirlin, in support of the same, and Mr. N. L. Cheyney and Mr. John F. Lewis, in opposition thereto.

The State of Wisconsin,
No. Original. vs. Complainant,
Ethan Allen Hitchcock, Secretary of the Interior.

Mr. William C. Prentiss, in behalf of counsel for the complainant, submitted to the consideration of the Court a motion to fix a day for the argument of the demurrer filed herein.

No. William Marvin, Aff in Error, vs. Belle B. Trout,
No. William Marvin, Aff in Error, vs. Belle B. Trout,

The argument of these cases was continued by Mr. George F. Pendleton, of counsel for the plaintiff in error, and Mr. John Poe, of counsel for the defendant in error, and concluded by Mr. George F. Pendleton, of counsel for the plaintiff in error.

The Attorney General of the State of Michigan, ex rel. L. C. Kies et al,
No. vs. Affs in Error,
Thomas J. Lowrey et al.

The argument of this cause was commenced by Mr. Frank A. Lyon, of counsel for the plaintiffs in error, and continued by Mr. Henry B. Graves, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. T. Abbott it is ordered that William T. Irwin, Esquire, of Peoria, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. S. Moore it is ordered that Will E. Saulter, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Thursday, October 26th, 1905. Continued.

Connolly, Esquire, of San Francisco, State of California be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

368. Mary Mabel Rogers, Appellant, vs. Henry H. Peck et al.

On motion of Mr. Tracy L. Jeffords, of counsel for the appellant, leave is hereby granted to prosecute this cause in forma pauperis, and it is ordered that the transcript of record be printed at public expense.

91. The Attorney General of the State of Michigan ex rel. L. E. Kies et al, Plffs in Error, vs. Thomas J. Lowry et al.

The argument of this cause was continued by Mr. Henry B. Graves and Mr. Fred A. Stone, of counsel for the defendants in error, and concluded by Mr. Frank A. Lyon, of counsel for the plaintiffs in error.

22. Corhran Oil & Development Co, Plff in Error, vs. Laurent Armandet et al.

The argument of this cause was commenced by Mr. Kenneth Phillis, of counsel for the plaintiff in error, and continued by Mr. D. Cafford Jr., and Mr. Gilbert L. Dupré, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Lewis E. Stanton it is ordered that Sidney Elbridge Clarke, Esquire, of Hartford, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that George Lewis Cooper, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

20. Valentine Huber, Plff in Error, vs. Jennings-Heywood Oil Syndicate et al. On motion of Mr. A. Genereux Dufour, in behalf of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby passed, subject to the provisions of section 7 of Rule 26

22. Cochran Oil and Development Co., Plff in Error, vs. Laurent Arnaudet et al. The argument of this cause was continued by Mr. Gilbert L. Dupré, of counsel for the defendants in error, and concluded by Mr. E. B. Dubuisson, of counsel for the plaintiff in error.

24. The New York, New Haven & Hartford Railroad Co., Appellant, vs. The Interstate Commerce Commission. and 25. The Interstate Commerce Commission, Appellant, vs. The Chesapeake & Ohio Railway Co., et al. The argument of these cases was commenced by Mr. Assistant Attorney General McReynolds, of counsel for the Interstate Commerce Commission, and continued by Mr. Randolph Harrison, of counsel for the Chesapeake & Ohio Railway Co.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White, Associate
Rufus W. Peckham, Justices.
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court announced

On motion first made to the Court in this behalf by Mr. Frederick D. Coudert it is ordered that Grant B. Arthur, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

24. The New York, New Haven & Hartford Railroad Co., Appellant,
vs.
The Interstate Commerce Commission.

27. The Interstate Commerce Commission, Appellant,
vs.
The Chesapeake & Ohio Railway Co.

The argument of these cases was continued by Mr. Randolph Harrison, of counsel for the Chesapeake & Ohio Railway Co., and

and Mr. John W. Griggs, of counsel for the New York, New Haven & Hartford Railroad Co. and concluded by Mr. Assistant Attorney General McReynolds, of Counsel for The Interstate Commerce Commission.

95. The California Reduction Co. et al., Petitioners, vs. The Sanitary Reduction Works of San Francisco. The argument of this cause was commenced by Mr. R. P. Harding, of Counsel for the Petitioners, and continued by Mr. Sheldon G. Kellogg of Counsel for the respondents.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John G. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Clarence P. Moser it is ordered that Martin A. Vogel, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

135. Preferred Pontine Mercantile Company et al., Plffs in Error, v. The State of Missouri at the relation of Luther S. Hickman, Supervisor &c. } In Error to the Supreme Court of the State of Missouri.

It appearing to the Court that a motion by counsel

error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

(Per Mr. Chief Justice Fuller.)

135. Preferred Pontine Mercantile Co., et al., Plffs in Error, vs. The State of Missouri on the relation of Luther S. Hickman, Supervisor &c. It is ordered by the Court that the Clerk issue the mandate in this cause at once.

75. The California Reduction Co., et al., Petitioners, vs. The Sanitary Reduction Works of San Francisco. The argument of this cause was continued by Mr. Sheldon L. Kellogg and Mr. A. B. Browne, of counsel for the respondents, and concluded by Mr. R. P. Harding, of counsel for the petitioners.

76. John J. Delahanty vs. William P. Pitkin et al. Plff in Error. The argument of this cause was commenced by Mr. Sidney E. Clarke, of counsel for the plaintiff in error, continued by Mr. Charles E. Perkins, of counsel for the defendants in error, and concluded by Mr. Lewis E. Stanton, of counsel for the plaintiff in error.

29. The Tampa Water Works Co., Plff in Error, vs. The City of Tampa. This cause was argued by Mr. H. A. Carter, of counsel for the plaintiff in error, and submitted on printed arguments by Mr. Hugh C. Macfarlane, and Mr. James P. Glen, of counsel for the defendant in error.

31. Greenlief W. Simpson, Appellant, vs. The United States, Appellee. The argument of this cause was commenced by Mr. A. A. Hoehling, Jr., of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 30th, 1905.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John N. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George C. Hazelton it is ordered that Gilbert E. Roe, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. C. Knox it is ordered that George B. Gordon, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred Beall it is ordered that Pleasant T. Jones,

Esquire, of Brookhaven, State of Mississippi, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. J. Bowers it is ordered that John Winburton Baldwin, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Florida McGuire and Matilda Caro, Petitioners, vs. William A. Blount, William Fisher, Pensacola City Co. et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Florida.

Per Mr. Justice Day.

J. W. Guthrie, A. K. Haywood, Henry Conant et al., vs. Plffs in Error, Henry O. Hardness. — In Error to Supreme Court of the State of Mass.

This cause came on to be heard on the transcript of record from the Supreme Court of the State of Mass. and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with

Per Mr. Justice Day —

Henry P. Booth, surviving partner of the firm of James E. Ward & Company, et al., vs. The Norwegian Bark "Eliza Lines," her cargo and freight, etc. — On writ and cross of Certiorari to United States Circuit Court of Ap for the First Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by Counsel. On consideration whereof, It is now hereby ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Massachusetts for further proceedings in accordance with the

opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Brown,
Mr. Justice Harlan,
Mr. Justice McKenna and
Mr. Justice Day.

The State of Wisconsin, Complainant,
12, Original. vs.
Ethan Allen Hitchcock, Secretary of the Interior.

On consideration of the motion to set the demurrer herein for argument, It is now here ordered by the Court that said demurrer be, and the same is hereby, assigned for argument on Monday, February 19th, 1906, after the case heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

N. J. McCahan Sugar Refining Company,
197. vs. Petitioner,
The Steamship Wilderoft &c.

On consideration of the petition for leave to take additional testimony herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

294. Warren B. Wilson, Appellant, vs. Leslie M. Shaw, Secretary of the Treasury. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

386. Ernest Galewood, Plff in Error, vs. The State of North Carolina. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

309. Martin Conboy, Trustee &c, Appellant, vs. First National Bank of Jersey City. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

433. Erie Railroad Company, Petitioner, vs. Erie and Western Transportation Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the

Seventh Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

26. John J. Delahanty, Plff in Error, vs. William P. Pitkin, Nellie V. Pitkin, and Aneon J. Allen, } In Error to the Supreme Court of Errors of the State of Connecticut.

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

139. The United States, vs. Lee Si Kum, } On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of Counsel for the United States, and he having moved the Court to dismiss this certificate, Therefore, in pursuance of said motion, It is now here ordered by this Court that this certificate be, and the same is hereby, dismissed.

1440. The United States, vs. Mah Quong Kay. On certificate from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for The United States, and he having moved the Court to dismiss this certificate, Therefore, in pursuance of said motion, It is now here ordered by this Court that this certificate be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

346. The United States, Appellant, vs. The Cherokee Nation,
347. The Eastern Cherokees, Appellant, vs. The Cherokee Nation,
348. The Cherokee Nation, Appellant vs. The United States.

Mr. Solicitor General Hoyt submitted to the consideration of the Court a motion to advance, these cases.

1442. The United States of America et al., Petitioners vs. William B. Kirk. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Solicitor General Hoyt, in support of the same, with leave to counsel for the respondent to file a brief in opposition thereto on or before Friday next.

1445. Pressed Steel Car Co., Petitioner, vs. John M. Hansen. The petition for a writ of certiorari herein was sub-

of the Court on printed arguments by Mr. P. C. Knox, in support of the same, and Mr. George B. Gordon, Mr. D. T. Watson, and Mr. James S. Kay, in opposition thereto.

33. Peoria Gas & Electric Co., Appellant, vs. (City of Peoria.) Mr. P. J. Kempul in behalf of Mr. William A. Gutherie submitted to the consideration of the Court a motion for leave to file a brief herein on behalf of D. O. Mills which was opposed by Mr. E. C. Ritchey, Mr. H. P. Irwin and Mr. W. [illegible], of counsel for the appellant.

7. Royal Insurance Co., Plff in Error, vs. Robert Miller, Special Master. On motion of Mr. Frederic D. McKenney, of counsel for the plaintiff in error, leave is hereby granted him to file an additional brief herein.

80. Agustin Castells, Appellant vs. Ernest Ruffin et al. On motion of Mr. Frederic D. McKenney, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

31. Greenleaf W. Simpson, Appellant, vs. The United States. The argument of this cause was concluded by Mr. A. A. Hoehling, Jr.

pellant, and the cause was submitted on a printed argument by Mr. Assistant Attorney General Pradt and Mr. Philip M. Ashford, of counsel for the appellee.

37. Francis B. Sweeney et al., v. (Plffs in Error, Canton Oil Company.) This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. D. B. Archer of counsel for the plaintiffs in error, and Mr. George L. Roberts, of counsel for the defendant in error.

38. Peoria Gas & Electric Co., v. Appellant, City of Peoria.) The argument of this cause was commenced by Mr. Edward C. Kilsher, of counsel for the appellant, continued by Mr. Winslow Evans, of counsel for the appellee, and concluded by Mr. William G. Abbott, of counsel for the appellant.

Leave was granted to file brief of Mr. William D. Guthrie in behalf of D. O. Mills.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown
Edward D. White
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that J. Richard Watts, Esquire, of Louisville, State of Kentucky, and Charles H. Nichols, Esquire, of Lansing, State of Michigan, be admitted to practice as attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank S. Bright it is ordered that North J. Gentry, Esquire, of Columbia, State of Missouri, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Tuesday, October 31st, 1905, Continued.

311. Valentin Tronoso et al., vs. Affs in Error, The United States.

This cause was argued by Mr. A. B. Browne, of Counsel for the plaintiffs in error, and Mr. Solicitor General Hoyt, of Counsel for the defendant in error.

35. The Chesapeake Beach Railway Company, vs. Affin Error, The Washington, Potomac & Chesapeake Railroad Co.

The argument of this cause was commenced by Mr. Frederic D. McKenney, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, November 1st, 1905

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel A. Putman it is ordered that John H. Murphy, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. L. Martin it is ordered that J. P. Stallings, Esquire, of Birmingham, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr.

of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

45. Henry Lockhart et al., vs. A. C. Leeds, Frank E. Sturgess, Federico J. Otero et al. Appellants, Appeal from the Supreme Court of the Territory of New Mexico.

It appearing to the Court that a motion by counsel for the appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

(Per Mr. Chief Justice Fuller.)

35. The Chesapeake Beach Railway Company, vs. The Washington, Potomac & Chesapeake Railroad Co. Plff in Error, The reargument of this cause was continued by Mr. Samuel A. Putman and Mr. Charles Poe, of counsel for the defendant in error, and concluded by Mr. Frederic D. McKenney, of counsel for the plaintiff in error.

36. Edward White, vs. Augusta Patten Glover et al. Appellant, The argument of this cause was commenced by Mr. E. F. Colladay of counsel for the appellant, and con-

Coran Thom, of Counsel for the appellees and submitted on a printed argument by Mr. L. P. Michener of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at three o'clock.

Thursday, November 2d, 1905.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles L. Frailey it is ordered that C. Schuyler Davis, Esquire, of Rochester, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peter F. Dunn it is ordered that P. J. Fallon, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Joplin, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

46. Arthur M. Manigault, Appellant, vs. A. A. Springs et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Henry A. M. Smith, of counsel for the appellant, and Mr. Theodore G. Barker, of counsel for the appellee.

47. Cumulative Credit Co., Appellant, vs. Molley A. Flint. Appeal from the Circuit Court of the United States for the Southern District of California.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged, and decreed, by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

37. John J. Cochran et al., Plffs in Error, vs. The County of Montgomery. This cause was argued, by Mr. Edgar A. Evans, of counsel for the plaintiffs in error, and Mr. H. L. Martin, of counsel for the defendant in error.

Thursday, November 2d, 1905, Continued.

38. Harry J. Cantwell et al, vs. Hoffs in Error, The State of Missouri.) The argument of this cause was commenced by Mr. Harry J. Cantwell, of counsel for the plaintiffs in error.)

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, November 3d, 1905.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Benjamin Micou it is ordered that Ephraim A. Foster, Esquire, of Huntsville, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. S. Worthington it is ordered that W. C. Arnold, Esquire, of DuBois, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

38. Harry J. Cantwell et al., Plffs in Error, vs. The State of Missouri. The argument of this cause was continued, by Mr. Harry J. Cantwell, of counsel for the plaintiffs in error, and concluded by Mr. North P. Gentry, of counsel for the defendant in error.

39. The United States for the use and benefit of Daniel N. Hill et al., Plffs in Error, vs. The American Surety Co. of New York. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Albert M. Baldwin, of counsel for the plaintiffs in error. No counsel appeared for the defendant in error.

40. Eclipse Bicycle Company, Appt, vs. Willard M. Farrow,
217. Eclipse Bicycle Company, Appt, vs. Willard M. Farrow.
The argument of these cases was commenced by Mr. A. S. Worthington, of counsel for the appellant, and continued by Mr. Henry M. Earle and Mr. John C. Gittings, of counsel for the appellee, and Mr. Howard L. Osgood, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.,
James H. McKenney, Esq.

Proclamation being made the Court is opened.,

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that E. Allen Frost, Esquire, of Chicago, State of Illinois, and Frank Gibbons, Esquire, of Buffalo, State of New York, be admitted to practice as attorneys and counsellors of this Court and thereupon were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Corcoran Thom it is ordered that Robert L. Parrish, Esquire, of Covington, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Coit it is ordered that Howard A. Coombs, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Brookshire it is ordered that John M. York, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tracy L. Jeffords it is ordered that Thomas H. Moloney, Esquire, of Rutland, State of Vermont, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

11. The Nederland Life Insurance Company, Limited, Petitioner, vs. Mary Meinert. } On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals and the judgment of the Circuit Court of the United States for the

hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the defendant.

Per Mr. Justice Peckham.

18. Union Pacific Railroad Company, Appellant, vs. Mason City & Fort Dodge Railroad Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr. Justice Brewer.

(Mr. Justice McKenna took no part in the decision of this case.)

14. Reuben Hodges et al., Plffs in Error vs. The United States. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for oral ar

after the cases heretofore assigned for that day.

(per Mr. Chief Justice Fuller.)

346. The United States, Appellant, vs. The Cherokee Nation,
347. The Eastern Cherokees, Appellants, vs. The Cherokee Nation,
348. The Cherokee Nation, Appellant, vs. The United States.

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the causes assigned for argument, as one case, on Tuesday, January 9, 1906, after the cases heretofore assigned for that day.

(per Mr. Chief Justice Fuller.)

The United States of America and C. D. MacDougall, U.S. Marshal, Petitioners, vs. William B. Kirk

1449. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

1115. Pressed Steel Car Company, Petitioner, vs. John M. Hansen. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

39. The United States for the use and benefit of Daniel H. Hill et al., Plffs in Error, vs. The American Surety Company of New York. It is ordered by the Court that leave be, and the same is, hereby, granted, counsel for the defendant in error to file a printed brief herein within ten days and to counsel for the plaintiffs in error to file a reply thereto.

Per Mr. Chief Justice Fuller.

36. Edward White, Appellant vs. Augusta Patten Glover, Mary E. Patten, Josephine A. Patten et al. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Co-

whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs. 308

(per Mr. Chief Justice Fuller.)

38. Harvey J. Cantwell, William Magnean and Jasper Edwards, Plffs in Error, v. The State of Missouri. — In Error to the Supreme Court of the State of Missouri.

311

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Chief Justice Fuller.)

The Chief Justice announced that the Court would take a recess from Monday the 13th instant to Monday the 27th instant.

10, Original. The United States, Complainant, v. The State of Michigan. — On motion of Mr. Solicitor General Hoyt, of Counsel for the complainant, It is ordered that the report of the Commissioner appointed herein be opened, published and filed. 425

John F. Bullmann,
vs. Petitioner
The United States.

On motion of Mr. Solicitor General Hoyt, of counsel for the defendant in error, it is ordered by the Court that this cause be, and the same is hereby advanced and assigned for argument on Monday November 27th.

The United States ex rel. George A. Lowry et al.,
vs. Petitioners
Frederick I. Allen, Commissioner of Patents.

On motion of Mr. John M. Coit leave is hereby granted him to withdraw his appearance as counsel for the defendant in error herein

Maine Beach Lighterage & Transportation Company,
vs. Petitioner,
The Standard Marine Insurance Co. of Liverpool, England.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. A. B. Browne and Mr. Francis J. Heney, in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto within thirty days.

Earl A. Thissell,
vs. Petitioner,
U. S. Bottin & Shuttle Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court

support of the same, and Mr. William M. Rich
and Mr. Cyrus M. Van Sluyck in opposition. Th

110. Eclipse Bicycle Company, Appt, vs. Hilliard M.
217. Eclipse Bicycle Company, Appt, vs. Hilliard M.

The argument of these cases was conclu
by Mr. Howard L. Osgood, of counsel for the a
pant, and leave was granted counsel to file a
al briefs within five days.

366. Mary Mabel Rogers, Appellant, vs. Henry N. Peck et al. The argument of
cause was comm
by Mr. Tracy L.
of counsel for th

Appellant continued by Mr. Clark C. Fitts, o
sel for the appellees, and concluded by Mr.
Moloney, of counsel for the appellant.

42. Allison D. Gibbs, Plff in Error, vs. Robert S. McDougall. This cause was sub
to the consideration
Court on the record
printed argumen

Mr. John F. Shafroth, of counsel for the plain
in error. No counsel appeared for the defend
error.

113. The Citizens National Bank et al, Plffs in Error, vs. Commonwealth of Kentucky use &c., of Boyle County. The argument of
was commenced by
D. Guisenbury, of
for the plaintiffs

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. S. Huston it is ordered that Charles E. Lunder, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Ernest W. Gibson, Esquire, of Brattleboro, State of Vermont be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

55. Gulf, Colorado & Santa Fe Railway Co., Plff in Error, v. The State of Texas. On motion of Mr. A. B. Browne, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

33. Peoria Gas and Electric Co., Appellant, v. City of Peoria. Mr. Holmes Conrad, submitted to the consideration of the Court a motion for leave to file a printed brief herein on behalf of the City of Chicago.

43. The Citizens National Bank et al., Plffs in Error, v. Commonwealth of Kentucky by use of Boyle County. The Court declined to hear further argument of this cause.

44. P. N. Hartman, Plff in Error, v. Butterfield Lumber Co. This cause was argued by Mr. Holmes Conrad, of counsel for the defendant in error and submitted on a printed argument by Mr. Pleasant J. Jones, of counsel for the plaintiff in error.

48. Paul Denobent vs. Nevada N. Stranahan. On certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause having been called for hearing in its regular order, and no counsel appearing for either party, It is now here ordered by the Court that this cause be and the same is hereby stricken from the docket for want of prosecution.

Per Mr. Chief Justice Fuller.

49. Harold Petri et al., Plffs in Error, vs. The F. C. Creelman Lumber Company et al. This cause was argued by Mr. David S. Lansden, of Counsel, for the defendants in error, and submitted on a printed argument by Mr. C. H. Willett, of Counsel for the plaintiffs in error.

50. Beryl F. Carroll, Auditor &c., Appellant, vs. The Greenwich Insurance Co., of New York et al. The argument of this cause was commenced by Mr. Charles H. Mullen, of Counsel for the appellant and continued by Mr. John G. Johnson and Mr. James C. Davis, of Counsel for the appellees, and Mr. Charles A. Ward, of Counsel for the appellant.

Proclamation being made the Court is adjourned until

Wednesday, November 8th 1905.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes
William R. Day,
} Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. John M. Thurston it is ordered that Arnold Shanklin, Esquire, of St. Louis, State of Missouri, and George A. Hutton, Esquire, of Santa Monica, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stuart McNamara it is ordered that Frank J. Hogan, Esquire, of the District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

59. Jose Antonio Fernandez, Rodolfo Ramirez Vigo, & Gabriel Gonzalez, Plffs in Error, vs. Salvador Luzz. In Error to the District Court of the United States for the District of Porto Rico

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record & is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

60. Harry T. Harris, Plff in Error, vs. George F. Elliott and Randolph Dieding. In Error to the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr Frank J. Hogan, of counsel for the Plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

157. Hobart S. Bird, Appellant, v. Jose Berrios, Warden of the Jail at Puerta de Tierra. Appeal from the Supreme Court of Porto Rico.

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

457. Hobart S. Bird, Appellant, v. Jose Berrios, Warden &c. It is ordered by the Court that the mandate in this cause be issued at once.

Per Mr. Chief Justice Fuller.

50. Beryl F. Carroll, Auditor &c., Appellant, vs. The Greenwich Insurance Co., of New York et al. The argument of this cause was concluded by Mr. Charles A. Clark, of counsel, for the appellant.

51. The United States, Appellant, vs. The Utah, Nevada & California Stage Co. And

52. The Utah, Nevada & California Stage Co., Appellant, vs. The United States. These cases were submitted to the consideration of the Court on the record and printed arguments by Mr. A. A. Hochling Jr. and

of counsel for the Stage Co., and Mr. Assistant Attorney General Pradt and Mr. Joseph Stewart, of counsel for the United States.

53. Armour Packing Co., Plff in Error, vs. B. R. Lacy, Treasurer &c. This cause was argued by Mr. Thomas B. Felder, Jr., of counsel for the plaintiff in error, and Mr. Robert D. Gilmer, of counsel for the defendant in error.

54. John D. Jack, Plff in Error, vs. The State of Kansas. This cause was argued by Mr. Edwin A. Austin, of counsel for the defendant in error, and submitted on a printed argument by Mr. H. A. Reasoner and Mr. Charles Blood Smith, of counsel for the plaintiff in error.

56. Joshua Roberts Mead et al., Plffs in Error, vs. The City of Portland et al. Ordered by the Court that this cause be passed, temporarily.

57. Henry French, substituted &c., Plff in Error, vs. N. C. Taylor et al. This cause was argued by Mr. P. C. Abbott, of counsel for the plaintiff in error, and Mr. Richard Saxe Jones, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until

Thursday, November 9th, 1905

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Percy Myers it is ordered that Frank Moss, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that James Brown Scott, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

169. Thomas M. Riggins, Appellant
v.
The United States

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Laurence Cooper, of counsel for the appellant, and Mr. Assistant to the Attorney General Purdy of counsel for the appellee.

62. James Gardner
v. Error to
The People of the State of Michigan.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Fred A. Baker, of counsel for the plaintiff in error, and Mr. D. E. Sweeney and Mr. John B. Corliss, of counsel for the defendants in error.

65. The Succession of Juan Serralles et al.,
v. Appellant
Belen Esbri, widow et al.

It is ordered by the Court that this cause be and the same is hereby dismissed temporarily.

58. Alabama Great Southern Railway Co.,
v.
H. C. Thompson, Admr. et al.

This cause was argued by Mr. Edward [illegible], of counsel for the Railway Co., and submitted on printed [illegible] by Mr. E. S. Daniels, of counsel for Thompson, Admr., and leave was granted him to file an additional brief within five days.

61. Mary McCune, by Daniel Donahue, her guardian ad litem, vs. Appellant, N. Trist Essig et ux. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. St. E. Cullen of counsel for the appellant and Mr. George Turner, of counsel for the appellees.

64. Gustav E. Hafemann, vs. Plff in Error, Fred A. Groes et al. — This cause was argued by Mr. Roger S. Powell, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Thomas J. Davis, of counsel for the defendants in error.

66. John C. Gore, Jr., et al., vs. Appellants, The United States et al. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Hamilton Gay Howard of counsel for the appellants, and Mr. A. G. Riddle and Mr. Richard Bayne, of counsel for the appellees, and leave was granted counsel for the appellees to file an additional brief within fifteen days and to counsel for the appellants to file a reply thereto.

67. James Foppiano, vs. Plff in Error, Robert A. Speed, Clerk etc. et al. — These cases were argued by Mr. Charles F. Coates, Jr.,

68. James Foppiano vs. Plff in Error, Robert A. Speed, Clerk &c. — defendant in error, and submitted on a printed argument by Mr. H. M. Randolph and Mr. Hassell Randolph, of counsel for the plaintiff in error.

70. George C. Campbell et al. vs. Plffs in Error, The State of California. — It is ordered by the Court that this cause, be, and the same is hereby, passed.

71. The People of the State of New York ex rel. Simon Lieberman, vs. Plff in Error, John E. Van Schaick, Warden &c. — This cause was argued by Mr. Frank Moss of counsel, for the plaintiff in error, and submitted on a printed argument by Mr. Theodore Connoly, of counsel, for the defendant in error. Leave was granted counsel for the plaintiff in error to file an additional brief within five days.

72. Allen C. Clark et al., Appls, vs. John E. Kelly, Intervenor,
1151. John E. Kelly, Intervenor, Appt, vs. Allen C. Clark et al.
The argument of these cases was commenced by Mr. Leo Simmons, of counsel for Clark et al.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday November 10th, 1905.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that Jose R. F. Savage, Esquire, of San Juan, Porto Rico, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

115. Thomas R. Shaw, Receiver &c., Plff in Error, v. National German American Bank of St. Paul, Minn.

This cause was submitted to the consideration of the Court pursuant to the rule on the record and printed arguments by Mr. Guy C. H. Corliss, of counsel for the plaintiff in error, and Mr. J. W.

75. The Guardian Trust & Deposit Company et al. Petitioners vs. B. J. Fisher et al. On motion of Mr. A. H. Taylor of Counsel for the petitioners it is ordered by the Court that this cause be, and the same is hereby passed temporarily

81&82. The People of the State of New York ex rel. The New York Central & Hudson River Railroad Co. vs. Allin Emot, Nathan L. Miller, Comptroller &c. On motion of Mr. A. B. Browne, in behalf of Counsel, it is ordered by the Court that these causes be, and they are hereby passed subject to the provisions of section 7 of Rule 56.

72. Allen C. Clark et al, Appts, vs. John E. Roller, Intervenor, Respt.
451. John E. Roller, Intervenor, Appt, vs. Allen C. Clark et al, Respts.
The argument of these causes was continued by Mr. Leo Simmons of Counsel for Clark et al, and Mr. John E. Roller in propria persona, and concluded by Mr. Leo Simmons, of Counsel for Clark et al.

74. William M. Estes, Appellant, vs. Richard A. Simmons. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. D. Luckett, of Counsel for the Appellant, and Mr. J. N. Everest of Counsel for the

Friday, November 10th 1905. Continued.

77. James B. Howard
vs.
The Commonwealth of Kentucky.

The argument of this cause was commenced by Mr. H. M. Smith, of Counsel for the Plaintiff in error, and continued by Mr. N. B. Hays, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock X.

Monday, November 13th, 1905.

Pursuant to adjournment the Court met at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Frederick D. Silber, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. H. Robeson it is ordered that James G. Parks, Esquire, of Cleveland, State of Tennessee, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

94. The Tampa Water Works Company, Plff in Error, vs. The City of Tampa.) In Error to the Supreme Court of the State of Florida.)

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice Holmes.

Dissenting:
Mr. Justice Brown and
Mr. Justice Peckham.)

21.

35. The Chesapeake Beach Railway Company, Plff in Error, vs. The Washington, Potomac & Chesapeake Railroad Company.) In Error to the Court of Appeals of the District of Columbia.)

125.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court

this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Holmes.

The Attorney General of the State of Michigan upon the relation of L. E. Ales et al., Plffs in Error, vs. Thomas J. Lowrey, H. S. Holworth, et al. } On Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

George C. Rankin, Receiver of the Hutchinson National Bank, Plff in Error, vs. Edward E. Barton. } On Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this

and that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

(per Mr. Justice McKenna.)

19. William Marvin, Plff in Error, vs. Belle B. Prout. In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice Peckham.)

20. William Marvin, Plff in Error, vs. Belle B. Prout. In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice Peckham.)

Union Refrigerator Transit Company, Plff in Error, vs. The Commonwealth of Kentucky by H. L. Heller Jr. Revenue Agent. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

(Per Mr. Justice Brown.)

Dissenting:
Mr. Justice Holmes and
Mr. Chief Justice Taft.

Frederic M. Lincoln et al, Def'ts in Err, vs. Plffs in Error, The United States.

On consideration of the petition for a rehearing herein, It is now here ordered by the Court that said petition be, and the same is

James Barnes & Co. Limited, Def't in Err. vs. Appellant, The United States.

hereby, granted as to the question whether Con-
gress ratified the collection of the sums sought

assigned for oral argument on that point on Tuesday, January 2d, 1906, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

425. Emil A. Thissell, Petitioner vs. U.S. Bobbin and Shuttle Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

149.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

33. Peoria Gas & Electric Co., Appellant, vs. City of Peoria. On consideration of the motion for leave to counsel for The City of Chicago to file a printed brief herein as amicus curiae, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

143.

(Per Mr. Chief Justice Fuller.)

39. The United States for the use and benefit of David N. Hill et al., Plffs in Error, vs. The American Surety Co. of New York. It is ordered by the Court that the time to file brief on behalf

error herein be, and the same is hereby, extended to the Petitioner.

(Per Mr. Chief Justice Fuller.)

Alison D. Gibbs, Plff in Error, vs. Robert S. McClintock, Deft in Error. } In Error to the Supreme Court of the Philippine Islands.

No.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Chief Justice Fuller.)

No.

The Citizens National Bank et al., Plffs in Error, vs. The Commonwealth of Kentucky to the use and benefit of Boyle County, et al. } On Error to the Court of Appeals of the State of Kentucky.

No.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

	Thomas R. Shaw, as Receiver of The First National Bank of Cumbina, North Dakota, Plff in Error, v. National German American Bank of St. Paul, Minnesota.	In Error to United States Circuit Court of Appeals for the Eighth Circuit.
115.		

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Minnesota.

Per Mr. Chief Justice Fuller.

	Cordan Oil and Development Company, Plff in Error, v. Laurent Arnaudet, Arthur Labiche, Eugene Houssiere et al.	In Error to Supreme Court of the State of Louisiana.
92.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

302. The State of New Jersey, Appellant
vs.
William P. Anderson, Trustee

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr Frederick D. Silber, in support of the same, and Mr. Levy Mayer, in opposition thereto.

439. Frank L. Wood et al., Appellants,
vs.
David C. Grayson, Trustee &c. et al.

On motion of Mr. John Ridout, of Counsel for the appellants, It is ordered by the Court that the printing of the record herein be dispensed with and that this cause be, and the same is hereby, assigned for argument with cases Nos. 84 and 90.

The Western Woolen Mill Co., Petitioner
vs.
Northern Assurance Co. of London.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. A. Rossington and Mr. Charles Blood Smith, in support of the same, and Mr. Charles J. Greene and Mr. Ralph W. Breckenridge, in opposition thereto.

344. Mutual Reserve Life Insurance Co., Plff in Error,
vs.
Henry C. Birch,

The motions to dismiss or affirm in this cause were submitted to the con-

Court on the record and printed arguments by Mr. Elbert E. Roe in support of the same, and Mr. Gordon T. Hughes in opposition thereto.

77. James B. Howard
W. Aff'g in Error,
The Commonwealth of Kentucky

The argument of the cause was continued by Mr. N. B. Hays of counsel for the defendant in error, and concluded by Mr. W. M. Smith of counsel for the plaintiff in error. Leave was granted counsel for the plaintiff in error to file an additional brief within five days.

Proclamation being made the Court is adjourned until Monday the 27th. instant at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. M. J. Colbert it is ordered that William B. Bailey, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Fulton it is ordered that Lawrence A. McNary, Esquire, of Portland, State of Oregon, and Robert H. McCarter, Esquire, of Newark State of New Jersey, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. E. Butterfield it is ordered that John E. Bird, Esquire, of Adrian, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Golden Donaldson it is ordered that Brainard H. Tinker, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. U. S. Webb it is ordered that Charles Warren Kitts, Esquire, of Grass Valley, Nevada County, and C. H. Garoutte, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred Beall it is ordered that Cassell Severance and Edgar M. Kitchin, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. B. Northrop it is ordered that Aubrey L. Brooks, Esquire of Greensboro, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A.B. Browne it is ordered that Norton Chase Esquire, of New York City be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter D. Rogers it is ordered that William Nevanne Cromwell Esquire of Washington, District of Columbia and Jay Rich Trien Esquire, of Philadelphia State of Pennsylvania, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On Motion first made to the Court in this behalf by Mr. A.N. Low it is ordered that J.S. Barker, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

368. Mary Mabel Rogers, Appellant vs. Henry H. Peck and Wilson S. Lovell. Appeal from the District Court of the United States for the District of Vermont.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Vermont, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court

cause be, and the same is hereby, affirmed.

per Mr. Justice Day.

368. Mary Mabel Rogers, Appellant
vs.
Henry H. Peck et al.

It is ordered by the Court that the mandate in this cause be issued at once.

Per Mr. Justice Day.

51. The United States, Appellant,
vs.
The Utah, Nevada & California Stage Company.

52. The Utah, Nevada & California Stage Company, Appellant,
vs.
The United States

Appeals from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Day.

31. Greenliff W. Simpson, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Holmes

50. Beryl F. Carroll, Auditor of the State of Iowa, Appellant, vs. The Greenwich Insurance Company of New York et al. Appeal from the Circuit Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice Holmes

(Mr. Justice Harlan, Mr. Justice Brewer and Mr. Justice

61. Mary McCune, by Daniel Donahue, her guardian ad litem, v. N. Fred. Essig and Emma C. Essig, his wife. Appellant. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Washington.

Per Mr. Justice McKenna.

74. William M. Estes, v. Richard A. Timmons. Appellant. Appeal from the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

574. John D. Jack, Plff in Error, vs. The State of Kansas. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

Dissenting:
Mr. Justice Brewer and
Mr. Justice McKenna.

7. Royal Insurance Company, Plff in Error, vs. Robert Miller, Special Master of the Caja de Ahorros, and Lucas Amadeo. In Error to the District Court of the United States for the District of Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Porto Rico, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of Porto Rico.

144. F. N. Hartman, Plff in Error, vs. Butterfield Lumber Company. In Error to the Supreme Court of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

Dissenting:
Mr. Justice White.

64. Gustav E. Hafemann, Plff in Error, vs. Fred A. Gross, Albert F. Gross and Louis H. Gross. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

Dissenting:
Mr. Justice White,
Mr. Justice McKenna and
Mr. Justice Harlan.

Harry Donovan, George Callahan, Charles Lewis et al, Petitioners, v. Pennsylvania Company. } On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Northern District of Illinois.

Per Mr. Justice Harlan.

The California Reduction Company et al, Petitioners, v. The Sanitary Reduction Works of San Francisco. } On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

25.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, af-

same is hereby remanded to the Circuit Court of the United States for the Northern District of California.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Brewer and
Mr. Justice Peckham.

62. James Gardner, Plff in Error, vs. The People of the State of Michigan. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Brewer and
Mr. Justice Peckham.

63. Francis B. Sweeney and Halbert J. Porterfield, partners as Sweeney & Porterfield, Plffs in Error, vs. Carter Oil Company. In Error to the Circuit Court of the United States for the Northern District of West Virginia.

This cause came on to be heard on the transcript of the

Northern District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law.

(Per Mr. Chief Justice Fuller.)

37. John J. Cochran and The Fidelity and Deposit Company of Maryland, Plffs in Error, vs. The County of Montgomery. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, for the want of jurisdiction.

(Per Mr. Chief Justice Fuller.)

112. John J. Cochran and The Fidelity and Deposit Company of Maryland, Petitioners, vs. The County of Montgomery. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari

for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that said petition be, and the same is hereby, granted.

It is further ordered that the transcript of record on the writ of error in the cause between the same parties, No. 37 on the docket for the present term, stand as a return to the writ of certiorari.

Per Mr. Chief Justice Fuller.

112. John J. Cochran and The Fidelity and Deposit Company of Maryland, Petitioners, v. The County of Montgomery. } Writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed, costs of this Court and of the Circuit Court to be paid by The Fidelity and Deposit Company; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Middle District of Alabama with a direction to remand to the State Court.

Per Mr. Chief Justice Fuller.

57. Henry French (substituted in place of Sarah Woodward and John A. McGraw, Administrator of the estate of Henry L. Woodward, deceased,) Plff in Error, vs. A. C. Taylor and Lida C. Taylor, his wife, et al. In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

302. The State of New Jersey, Appellant, vs. William P. Anderson, Trustee. On consideration of the motion to dismiss in this cause, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Monday, November 27th, 1905, Continued.

1440.	The Western Woolen Mill Company, vs. Northern Assurance Company of London,	On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1439. Benjamin F. Nelson, Plff in Error, vs. The United States,
1441. Anselm C. Bossard, Plff in Error, vs. The United States,
1442. Clarence L. McNair, Plff in Error, vs. The United States.

On motion of Mr. Solicitor General Hoyt, of counsel for the defendant in error, It is ordered by the Court that these cases be, and the same are hereby, advanced and assigned for argument with cases Nos. 381, 382, 383, 384 and 385, as one case, on Tuesday, January 2, 1906.

370.	Franklin McNeill et al., vs. Southern Railway Co.,	Appellants, Mr. R. A. Brittle, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

1153. Nedwig Krida, Plff in Error, vs. The New York & Harlem R.R. Co. et al.
1154. David H. Reid et al., Plff in Error, vs. The New York & Harlem R.R. Co. et al.
1493. Francisco de Scholy, Plff in Error, vs. The New York & Harlem R.R. Co. et al.

On motion of Mr. A. B. Cruikshank, of counsel for the plaintiffs in error, it is ordered by the Court that these cases be, and they are hereby, advanced and assigned for argument with case No. 107, as one case on Thursday, January 2, 1906.

1403. Alexander von Ruben Castell &c., Petitioner, vs. John Eberhard Faber. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. F. W. Hinrichs and Mr. Joseph H. Choate, in support of the same, and Mr. Benjamin F. Tracy, in opposition thereto.

171. Louisiana & Missouri River Railroad Co., Plff in Error, vs. Patrick Mantay. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. George Robertson, in support of the same, and Mr. W. C. Scarritt, in opposition thereto.

1356. The Hayes-Young Tie Plate Co., Petitioner, vs. The St. Louis Transit Company. The petition for a writ of certiorari herein was submitted to the

Court by Mr. James L. Hopkins and Mr. Alfred A. Sicke, in support of the same.

198. Charles A. DeArmand, Plff in Error, vs. Fred C. Ainsworth. — Mr. P. C. B. Sands, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to prosecute this cause in forma pauperis and that the record be printed, at public expense.

199. George F. Albright, Appellant, vs. The Territory of New Mexico ex rel. Jesus M. Lindauer. — The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Neill B. Field, in support of the same, and Mr. William B. Childers, in opposition thereto.

118. Sofie L. Alexander, Appellant, vs. Severino Crollott, Justice of the Peace &c. — The motions to dismiss or affirm in this cause, were submitted to the consideration of the Court on the record and printed arguments by Mr. W. B. Childers, in support of the same, and Mr. Neill B. Field, in opposition thereto.

y A. Blair et al, Receivers &c, Appts, vs. The City of Chicago et al.
North Chicago City Ry Co., Appt, vs. Henry A. Blair et al, Receivers &c.;
ty of Chicago, Appt, vs. John C. Fitzer et al, Receivers &c.
ny A. Blair et al, Receivers &c., Appts, vs. The City of Chicago et al.
Chicago West Division Ry Co., Appt, vs. Henry A. Blair et al, Receivers &c.
y of Chicago, Appt, vs. John C. Fitzer et al, Receivers &c.;
Mr. H. B. Browne, in behalf of counsel, submitted the consideration of the Court a motion for extension time for the oral argument of these cases and that ree counsel be heard on each side;

Henry T. Powers Auditor Gen'l &c. vs. Appellant, The Detroit, Grand Haven & Milwaukee Railway Co. The Michigan Central R.R. Co., vs. Appellant, Henry T. Powers, Auditor General &c.

Mr. John C. Bird, of Counsel for Powers Auditor General &c, submitted to the consideration of the Court motions to advance these cases

The State of Georgia, Complainant, vs. Tennessee Copper Co. et al.

On motion of Mr. John M. Franz, of Counsel for the defendants, leave is hereby granted to file the demurrer of the Tennessee Copper Company herein.

The Norway Dilwood & Elwood Manufacturing Co. et al, Petitioners, vs. The Hemolin Company.

The petition for a writ of certiorari herein was submitted to the con-

Court on printed arguments by Mr. H. C. Preble, Jr., in support of the same, and Mr. Harold Binney in opposition thereto.

Ex parte In the matter of William W. Bierce, Limited, Petitioner.

Mr. A. A. Hocking, Jr., in behalf of Counsel, submitted to the Consideration of the Court a motion for leave to file a petition for writ of mandamus or Certiorari herein.

American Sewage Disposal Company of Boston, Petitioner
vs.
City of Providence et al.

4414. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward S. Payson, in support of the same, and Mr. William R. Tillinghast in opposition thereto.

Rufus D. Martin, Plaintiff in Error,
vs.
The State of Texas.

170. Mr. H. E. Coleman, of Counsel for the plaintiff in error submitted to the Consideration of the Court a motion for an order directing that the Clerk's fee for supervising the printing of the record herein be based on the record as printed and not on the record as filed.

308. John H. Ballmann, Plff in Error
vs.
The United States.

This Cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Lawrence Maxwell, Jr. Mr. Miller Outcalt, and Mr. Thomas F. Shay, of Counsel for the plaintiff in Error, and Mr. Solicitor General Hoyt of Counsel for the defendant in Error, and leave was granted Counsel for the plaintiff in Error to file a reply brief within five days.

79. Peter O. Sjoli, Plff in Error,
vs.
Charles Dreschel.

This Cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Moses E. Clapp, of Counsel for the plaintiff in error, and Mr. William E. Hale, of Counsel for the defendant in error.

83. The Newport News & Old Point Railway & Electric Co., Plff in Error,
vs.
Hampton Roads Railway & Electric Co.

It is ordered by the Court that this Cause be, and the same is hereby, continued, until the next term, per stipulation of Counsel.

56. Joshua Roberts Mead et al, Plff in Error
vs.
The City of Portland et al

This Cause was argued by Mr. Charles H. Carey, of Counsel, for the plaintiffs in

fendants in error.)

The Succession of Juan Serralles &c,
vs. Appellant,
Belen Esbri, widow &c.

This cause was argued by Mr. James S. Harlan, of Counsel for the appellant. No brief was filed by

Counsel for the appellees.)

68.

George O. Campbell et al.
vs. Plffs in Error,
The State of California.

70.

The argument of this cause was commenced by Mr. Charles A. Garoutte, of Counsel

for the plaintiffs in error.)

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

133. The Mayor and Aldermen of the City of Vicksburg, vs. The Vicksburg Water Works Co. Appellants,

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. S. S. Hudson, Mr. Joseph Hirsh, and Mr. M. F. Smith, in support of the same, and Mr. J. C. Bryan and Mr. L. H. Magruder, in opposition thereto.

70. George O. Campbell et al., vs. The State of California, Plffs in Error,

The argument of this cause was continued by Mr. Charles A. Shu-

the plaintiff in error, and Mr. W. S. Webb, of Counsel for the defendant in error, and concluded by Mr. Charles A. Gannoutte, of Counsel for the plaintiffs in error.

75. The Guardian Trust and Deposit Co., et al., Petitioners, vs. B. J. Fisher et al.,

The argument of this cause was commenced by Mr. John P. Bruns, of Counsel for the petitioners, continued by Mr. Aubrey L. Brooks, of Counsel for the respondents, and concluded by Mr. A. H. Taylor, of Counsel for the petitioners.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. S. Worthington it is ordered that Stanton C. Peelle, Esquire, of Washington, District of Columbia, be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. A. Smith it is ordered that Richard C. Stoll, Esquire, of Lexington, State of Kentucky, be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Wednesday, November 9th, 1905. Continued

Stroh, Esquire, of Harrisburg, State of Penna. be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

78. Calvin R. Nutt et al., vs. Plffs in Error, S. Prentiss Knauth et al., Defts in Error. This cause was called by Mr. A. S. Worthington of counsel for the plffs in error and Frederic D. McKenney, of counsel for the defendants in error.

85. The Russian American Packing Co., vs. Appellant, The United States.

86. The Royal Packing Company, vs. Appellant, The United States. These cases were argued by Mr. Alexander Britton, of counsel for the appellants, and Mr. Frederick Courtney Faust, of counsel for the appellee.

87. Axel H. Hallenborg et al., vs. Appellants, Cobre Grand Copper Co., et al. The argument of this cause was commenced by Mr. A. B. Clark, of counsel for the appellants.

Proclamation being made the Court is adjourned til Friday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. J. Beveridge it is ordered that William Pickle Herod, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Theodore G. Barker it is ordered that William F. Stevenson, Esquire, of Cheraw, and P. A. Willcox, Esquire, of Florence, State of South Carolina, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

December 14, 1905, Continued

308. John N. Bullmann, Plff in Error, v. The United States. On motion of Mr. S General Hoyt, of co for the defendant-in leave is hereby gr him to file an additional brief herein.

87. Axel N. Hallinborg et al., Appellants, v. Ostre Grand Copper Co., et al. The argument to Cause was Con by Mr. A. B. Cru of Counsel for th pellants, and Mr. A. B. Browne, of Counsel for th pellees, and Concluded by Mr. A. B. Crooks, Jr. Counsel for the appellants.

88. W. X. Gunter, Attorney General, et al., Appellants, v. The Atlantic Coast Line Railroad Co. The argument in this Cause was commenced by Mr. W. F. Stev of Counsel for appellants, Continued by Mr. Theodore G. Barker, of Co for the appellees.

Proclamation being made the Court is adjourn until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John W. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Frank R. Reid, Esquire, of Aurora, State of Illinois, and E. Clinton Rhoads, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank B. Kellogg it is ordered that Joseph Bell Cotton, Esquire, of Duluth, and Samuel A. Anderson, Esquire of St. Paul, State of Minnesota, and Watts S. Humphrey, Esquire, of Saginaw, State of Michigan, be admitted to practice as attorneys

accordingly.

On motion first made to the Court in this behalf by Mr. James Brook Perkins it is ordered that Charles J. Bissell and William W. Webb, Esquires, of Rochester, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert P. Massey it is ordered that Paul Armitage, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. J. Steiner it is ordered that Benjamin V. Kolbout, Esquire, of Wilber, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly. 34.

79. Allen C. Clark, Sarah P. Clark et al., Appellants, vs. John E. Roller, Intervenor. Appeals from the Court of Appeals of the District of Columbia.

451. John E. Roller, Intervenor, Appellant, vs. Allen C. Clark, Sarah P. Clark et al.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of

Columbia, on appeal and cross-appeal, and was ar-
gued by Counsel. On consideration whereof, It is now
here ordered, adjudged, and decreed by this Court
that the decree of the said Court of Appeals in this
cause be, and the same is hereby, modified so as to
allow the plaintiffs a reasonable time to sue at
law, the bill to be dismissed unless they do so,
and that it be made a condition of the decree
that in case a suit is brought Roller shall admit
that he is in possession as he now avers, and, as
so modified, that said decree be, and the same
is hereby, affirmed, Costs in this Court to be paid
by Allen & Blanchard.

Per Mr. Justice Holmes.

Valentin Trono, Maximo Angeles, and Timoteo Natividad, Plffs in Error, vs. The United States. In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Peckham.

(Mr. Justice Holmes concurs in the result.)

Dissenting: Mr. Justice McKenna, Mr. Justice White, Mr.

67. James Toppiano, Plff in Error, vs. Robert A. Speed, as Clerk of the County Court of Shelby County. In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

(Per Mr. Justice Peckham.)

68. James Toppiano, Plff in Error, vs. Robert A. Speed as Clerk of the County Court of Shelby County. In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

(Per Mr. Justice Peckham.)

Harold Petri, Paul Bopp and Victor Voels, Copartners doing business under the name of Petri & Co., Plffs in Error, vs. The F. E. Creelman Lumber Company and Frank E. Creelman, } In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings.

Per Mr. Justice White
(Announced by Mr. Chief Justice Fuller.)

Arthur M. Manigault, Appellant, vs. D. A. Springs and St. J. M. Lachicotte, Copartners in business under the firm name of S. M. Ward & Company, } Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by Counsel. On consideration whereof it is now here

the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown.

10. The State of South Carolina, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brewer.

Dissenting:
Mr. Justice White,
Mr. Justice Peckham and
Mr. Justice McKenna.

14, Original. Ex parte In the matter of William W. Pierce, Limited, Petitioner. On consideration of the motion for leave to file the petition for writs of mandamus or certiorari herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and on consideration of the petition and of the record presented therewith, it is ordered that an appeal from the judgment of the Supreme Court of the Territory of Hawaii in the case of William W. Pierce, Limited, a corporation, [illegible]

J. Hutchins, Trustee, be, and the same is hereby allowed on the appellant giving bond in the penal sum of $1,000 conditioned according to law, and approved by the Chief Justice of said Supreme Court or an Associate Justice thereof.

Per Mr. Chief Justice Fuller.

178. Charles A. De Arnaud, Appellant, vs. Fred C. Ainsworth, Appellee. On consideration of the motion for leave to prosecute this cause in forma pauperis, and that the record be printed at public expense, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

170. Rufus Martin, Plaintiff in Error, vs. The State of Texas. On consideration of the motion that the Clerk's fee for supervising the printing of the record herein be based on the record as printed, and not on the record as filed, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

171. Louisiana & Missouri River Railroad Company, Plaintiff in Error, vs. Patrick Mackey. It is ordered by the Court that the further consideration of the motions to

in this cause be, and the same is hereby postponed until the hearing of the cause on the merits.

(Per Mr. Chief Justice Fuller.)

332. The Mayor and Aldermen of the City of Vicksburg, Appellants, vs. The Vicksburg Water Works Co.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby postponed until the hearing of the cause on the merits.

(Per Mr. Chief Justice Fuller.)

331. Henry A. Blair et al. Receivers &c., Appts vs. The City of Chicago et al.
332. The North Chicago City Ry Co. Appt. vs. Henry A. Blair et al, Receivers &c.
333. City of Chicago, Appt vs. John C. Felzer et al, Receivers &c.
334. Henry A. Blair et al, Receivers &c., Appts. vs. The City of Chicago et al.
335. The Chicago West Division Ry Co, Appt vs. Henry A. Blair et al Receivers &c.
336. City of Chicago, Appt vs. John C. Felzer et al, Receivers &c.

On consideration of the motion for an extension of time for the oral argument of these cases and that three counsel be heard on each side; It is now here ordered by the Court that three counsel be heard on each side, and that four hours additional time be allowed, to be equally divided, making the entire time for the argument eight hours.

(Per Mr. Chief Justice Fuller.)

370. Franklin McNeill et al., Appellants vs. Southern Railway Company. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 2, 1906.

Per Mr. Chief Justice Fuller.

391. Perry F. Powers, Auditor General &c., Appellant, vs. The Detroit, Grand Haven & Milwaukee Ry. Co.

397. The Michigan Central Railroad Co., Appellant, vs. Perry F. Powers, Auditor General &c.

On consideration of the motions to advance these causes, It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cause assigned for argument, as one case, on Monday, February 19, 1906, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

462. Detroit & Mackinac Railway Co., Appellant, vs. Perry F. Powers, Auditor General &c. (And 25 other cases numbered from 463 to 487 inclusive.)

On consideration of the records filed in these cases It is now here ordered by the Court that these cases be, and they are hereby, advanced and assigned for argument with cases Nos. 391 and 397, as one case,

heretofore assigned for that day.
(Per Mr. Chief Justice Fuller.)

273. The Norway Dyewood and Extract Manufacturing Co., et al., Petitioners v. The Hemalin Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

(On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.)
(Per Mr. Chief Justice Fuller.)

403. Alexander von Faber-Castell, sole surviving member of the copartnership of A. W. Faber, Petitioner, v. John Eberhard Faber. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

(On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.)
(Per Mr. Chief Justice Fuller.)

444. American Sewage Disposal, Company of Boston, Petitioner, vs. City of Pawtucket.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

456. The Hayes-Young Tie Plate Company, Petitioner, vs. The St. Louis Transit Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

John C. Jore, Jr. and Hamilton Gay Howard, Appellants,
v.
The United States and David Jacks, and Pacific Improvement Co.,

Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Chief Justice Fuller.)

Rudolph F. Steiner, Executor of Gaspard Steiner, deceased, and John D. Adams,
v.
The United States.

Mr. Solicitor General Hoyt, of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States,
For the Eastern District of Louisiana.

I, A. J. Carter, Clerk of the Circuit Court of the United States for the Eastern District of Louisiana, do hereby certify that in a certain cause pending in the Circuit Court of the United States for the District of Louisiana wherein Fifty Barrels of Whiskey, marked "Hoffheimer Bros.", Gaspard Steiner, Claimant, and John D. Adams, Sureties, were

States of America was dismissed No. 5578, a final judgment thereon rendered by said Court on the 2nd and signed on the 6th day of May, A.D. 1870. in favor of the appellee, and against the said appellants, and that on the 15th day of May A.D 1870 Rudolph Ehrenner Executor of Gaspard Ehrenner, deceased, and John S. Adams sued out a writ of error to said Circuit Court of the United States for the District of Louisiana, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Circuit Court at New Orleans, La., this twenty ninth day of November A.D 1876

(Seal)

"A. J. Carter, Clerk."

moved the Court to docket and dismiss this cause pursuant to the 6th Rule; and it appearing to the Court that the plaintiffs in error have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the District of Louisiana be and the same is hereby docketed and dismissed; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Louisiana to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

Rudolph F. Steiner, Executor &c, et al,
vs. Affs in Error,
The United States,

On motion of Mr. Solicitor General Hoyt, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Mutual Reserve Life Insurance Co.
vs. Aff in Error,
George W. Woodward.

On motion of Mr. Albert P. Massey, leave is hereby granted him to file a brief in this cause on behalf of Wilson R. Hunter.

John S. McCalla,
vs. Appellant,
Calvin S. Acker.

Mr. Fred Beall, of counsel, for the appellant, suggested the death of Calvin S. Acker, the appellee in this cause, and moved the Court to make Alma Mazo Acker, widow and Executrix of Calvin S. Acker, deceased, and guardian of Alma Mazo Acker, the minor daughter of said Calvin S. Acker, deceased, the party appellee herein, as per stipulation of counsel. Whereupon, It is now here ordered by the Court that the said Alma Mazo Acker, widow and Executrix of Calvin S. Acker, deceased, and as guardian of Alma Mazo Acker, the minor daughter of Calvin S. Acker, deceased, be, and she is hereby, made the party appellee in this cause.

The State of Georgia, ex rel. Complainant, vs. The Tennessee Copper Co. et al. Defendants. (In motion of Mr. James L. Parks, of Counsel, leave is hereby granted to file. Sulphur, Copper,

The Commercial Iron Company, Limited, one of the defendants herein,

Lucian A. Alexander, Plff in Error, vs. The City of Tacoma and William A. Steinberg, City Treasurer, Defts in Error. (Mr. David A. Gonzier, of Counsel for the defendants in error, having filed in open Court the following

Certificate, to wit:

"In the Supreme Court of the State of Washington.

I, S. Reinhart, Clerk of the Supreme Court of the State of Washington, do hereby certify that in a certain cause pending in said Court wherein Lucian A. Alexander was appellant and the City of Tacoma and William A. Steinberg, City Treasurer, was defendant to final judgment was rendered by said Court on the seventh day of September A.D. 1901, in favor of the said defendants, and against the said Lucian A. Alexander, and that on the 27th day of September, A.D. 1901, said Lucian A. Alexander sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name and affix the

(Seal.)

Olympia, Wash., this 12th. day of Octobe
1905.

C. S. Reinhart, Esq
moved the Court to docket and dismiss this
pursuant to the 6th rule; and it appearing
Court that the plaintiff in error has failed t
his cause filed and docketed in conformity
the rules of this Court. It is now here ordered
adjudged by this Court that the writ of erro
this cause to the Supreme Court of the State of
ington be, and the same is hereby, docketed
dismissed with costs; and that this cause
and the same is hereby, remanded to the
Supreme Court to be proceeded in accordin
law and justice.

Per Mr. Chief Justice Full

280. La Compania de los Ferro-carriles de Puerto Rico, Plff in Error, v. Jose Casuela Seigel.

The motions t
miss or affir
this cause w
submitted to
consideration
the Court on printed arguments by Mrs. Ell
Mussey, in support of the same, and Mr. Th
D. McKenney, Mr. J. Spalding Flannery, and
A. Dexter, in opposition thereto.

88. H. X. Gunter, Attorney General, etal., Appellants, v. The Atlantic Coast Line Railroad Co.

The argume
this cause
continued

and Mr. P. A. Hillcox, of counsel for the appellees, and concluded by Mr. W. F. Stevenson, of counsel for the appellants.

89. B. H. Warner & L. D. Wine, Trustees et al., vs. Appellants. David C. Grayson, Trustee, et al.

90. N. Maurice Talbott et al., vs. Appellants. David C. Grayson, Trustee, et al.

439. Frank L. Wood et al., vs. Appellants. David C. Grayson, Trustee, et al.

The argument of these cases was commenced by Mr. John Ridout, of Counsel for Wood and Talbott, and continued by Mr. B. H. Parker, of counsel for Warner and Wine, Trustees, and Mr. J. J. Darlington, of counsel for Grayson, Trustee, et al.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday December 5th, 1905.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes
William R. Day,
Associate Justices.
John T. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that Robert H. Elder, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte In the matter of William H. Pierce, Limited, Petitioner. No. 14, Original.

On motion of Mr. F. D. McKenney, of counsel for the petitioner, leave is hereby granted to withdraw the certified transcript of record filed herein as an exhibit to the petition.

Sewerage and Water Board of New Orleans, Petitioner, v. The National Contracting Co., and Mr. Samuel L. Gilmore,

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Owen Villere, in support of the same.

W. Harmon Dodd Wing, Trustee, et al. Appellants v. David C. Grayson, Trustee, et al.

H. Maurice Talbott et al. Appellants v. David C. Grayson, Trustee, et al.

Frank L. Wood et al. Appellants, v. David C. Grayson, Trustee, et al.

The argument of these cases was continued by Mr. J. J. Darlington, of counsel for Grayson, Trustee, et al., and concluded by Mr. Charles F. Amsi of counsel for Wood & Talbott,

Fred A. Holze, Admr &c, et al. Appellants, v. Charlotte E. Hoard (wife).

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John T. Richards, of counsel for the appellants, and Mr. Herman W. Stillman, of counsel for the appellee.

Wabash Railroad Co., Plaintiff in Error, v. Genevieve Halstead Mathews.

This cause was argued by Mr. Frederic D. McKenney, of counsel, for the plaintiff in error,

fendant in error.

96. Minnesota Iron Co., Plff in Error, vs. Mark M. Kline. This cause was argued by Mr. Frank B. Kellogg, of Counsel for the Plaintiff in error, and Mr. S. A. Anderson of Counsel for the defendant in error.

97. Frank Cole Brown, Plff in Error vs. Charles Dimon Gurney,
98. Josiah Appleton Small, Plff in Error, vs. Frank Cole Brown,
99. Frank Cole Brown, Plff in Error vs. Josiah Appleton Small.

These cases were argued by Mr. William C. Prentiss, of Counsel for Brown, and submitted on a printed argument by Mr. Charles C. Butler, of Counsel for Gurney. No brief was filed by Counsel for Small.

102. Agueda Benedicto de la Rama, Appellant, vs. Esteban de la Rama. The argument of this cause was commenced by Mr. Frederic R. Coudert, of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met this day at the Capitol.

Present:

The Honorable Melville W. Fuller Chief Justice,
" John M. Harlan,
" David J. Brewer,
" Henry B. Brown,
" Edward D. White, Associate
" Rufus W. Peckham, Justices.
" Joseph McKenna,
" Oliver Wendell Holmes,
" William R. Day,
John G. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court

On motion first made to the Court in this behalf by Mr. Thomas B. Felder Jr., it is ordered that Alfred H. Union, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. C. McRae it is ordered that H. C. Hemingway, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday, December 6th, 1905. Con

On motion first made to the Court in this ca
Mr. Frank D. Kellogg it is ordered that F
P. Roberts, Esquire, of Minneapolis, State of
nesota, be admitted to practice as attorney
counsellor of this Court and he was sworn a

1011. The United States, Petitioner,
vs.
R. F. Downing & Co.

On motion of
Assistant Atto
General McK
It is ordered by
Court that the
be, and they ar
passed, subje
provisions of

116. The United States, (Aff'g in Error.
vs.
The New York & Cuba Mail
Steamship Co.

9 of Rule No.

La Compañia de los Ferro-
carriles de Puerto Rico,
280. vs. (Aff'g in Error,
Jose Casuela Geigel.)

In Error to the
Court of the Unit
for the District o
Rico.

This cause having been called to the attention o
Court by Mr. Frederic D. McKenney, of counse
the plaintiff in error, and he having moved the
to dismiss the writ of error in this cause, Thu
in pursuance of said motion, It is now here
and adjudged by this Court that the writ of
in this cause be, and the same is hereby, dismi
with costs.

Per Mr. Chief Justice. Fu

La Compania de los Ferrocarriles de Puerto Rico
vs.
Jose Casuela Laigil.
280. Writ of Error,

On motion of Mr. Frederic D. McKenney, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

C. E. Howard,
vs.
E. B. Perrin.
110. Appellant,

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. E. Hinwood of counsel for the appellant and Mr. Edward M. Doe of counsel for the appellee.

Ann Francis,
vs.
Peter J. Francis et al.
113. Writ of Error,

On Error to the Supreme Court of the State of Michigan.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the tenth rule of this Court, nowhere ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

102. Agueda Benedicto de la Rama, Appellant, vs. Esteban de la Rama et al. The argument of this cause was concluded by Mr. Frederic R. Coudert, of counsel for the appellant. No counsel appeared for appellees.

103. The Mobile Transportation Co., Appellant, vs. The City of Mobile et al. This cause was argued by Mr. Frederick G. Bromberg of counsel for the appellant, and Mr. Henry D. Smith, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, December 7th, 1905.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White, Associate
Rufus W. Peckham, Justices.
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry E. Davis it is ordered that C. C. Conlin, Esquire, of Alexandria State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Alden Smith it is ordered that Thomas J. Cavanaugh and Russell M. Chase, Esquires, of Saw Paw, and Hiram P. Cook, Esquire, of South Haven, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that James A. Hamilton, Esquire, of Omaha, State of Nebraska, and John St. Friend, Esquire, of Newport News, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank S. Bright it is ordered that Monta Lyon, Esquire of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

114 John S. McCalla, Appellant, vs. Alma Mayo Acker, Executrix &c. This cause was submitted to the Consideration of the Court on the record and a printed argument by Mr. Fred Beall and Mr. S. H. Harris, of Counsel for the appellant, and leave was granted Counsel to file briefs on or before January 1st, 1906.

121. J. T. Wiggal & Sons, Plffs in Error, vs. Kansas City, Memphis & Birmingham Railroad Co. In Error to the Supreme Court of the State of Mississippi

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the rec

It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

105. A. C. Herrick et al., Appellants, v. Boquillas Land & Cattle Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Ben. Goodrich, of counsel for the appellants, and Mr. Francis J. Heney, of counsel for the appellee.

106. The United States, Appellant, v. The Detroit Timber and Lumber Co., et al.

165. Martin-Alexander Lumber Co., et al., Appellants, v. The United States.

The argument of these cases was commenced by Mr. M. C. Burch, of counsel for The United States, continued by Mr. W. E. Hemingway and Mr. James F. Read, of counsel for the Lumber Companies et al., and concluded by Mr. Fred A. Maynard, of counsel for The United States.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Monday, December 5th 1904.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Henry McAllister, Jr., of Colorado Springs, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Willis Smith it is ordered that William W. Smith, Esquire, of Woodbourne, Sullivan County, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. E. L. Mountcastle it is ordered that Jesse W. Littleton, Esquire, of Winchester, J. A. Wright, Esquire, of Rockwood, and William D. Wright, Esquire, of Knoxville, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

172. Mutual Reserve Life Insurance Company, Plff in Error, vs. George W. Henderson, Deft in Error. It is ordered by the Court that this cause be, and the same is hereby, continued until the next term per stipulation of counsel.

107. Behn, Meyer & Company, Appellants, vs. Campbell & Co, Appellees. The argument of this cause was commenced by Mr. C. C. Carlin, of counsel for the appellants, continued by Mr. A. B. Browne, of counsel for the appellees, and concluded by Mr. Henry E. Davis, of counsel for the appellants, and leave was granted counsel to file additional briefs.

[illegible] D. A. Graham, County Auditor, et al, Plff in Error, vs. S. Ellen Folsom et al, Defts in Error. The argument of this cause was commenced by Mr. F. Barron Grier, of counsel

work and Mr. R. E. L. Mountcastle, of counsel for the defendants in error, and concluded by Mr. J. A. McCullough, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices

John W. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. D. T. Pugh it is ordered that Fred C. Reator, Esquire, of Columbus, State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Morgan it is ordered that Sidney Miller Ballou, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert N. Bonynge it is ordered that C. B. Melville, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. H. Russell it is ordered that C. S. Gilkerson, Esquire, of Cheyenne, Territory of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Moon it is ordered that Thurlow P. Gore, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Charles F. Jones, Esquire, of Brookville, State of Indiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that Ernest Hall, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence Maxwell Jr. it is ordered that E. L. Worthington, Esquire, of Maysville, James C. Sims, Esquire, of Bowling Green, and N. Clay Howard, Esquire, of Paris, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The People of the State of New York & rel. Simon Lieberman, Plff in Error, vs. John E. VanDe Carr, Warden of the City Prison. Defendant in Error. } In Error to the Supreme Court of the State of New York.

71.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby Affirmed with cost.

Per Mr. Justice Day.

Order.

It is ordered by the Court that General Order in Bankruptcy No. 35. be amended by adding the following sentence to subdivision 4:

"He may also, pending such proceedings,

order the commissions of referees and trustees to be paid immediately after such commissions accrue and are earned.)

(per Mr. Justice Brown.)

167. Thomas M. Riggins, Appellant, vs. The United States. Appeal from the Circuit Court of the United States for the Northern District of Alabama.)

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to quash the writ of habeas corpus and dismiss the petition, without prejudice.

(per Mr. Chief Justice Fuller.)

103. The Mobile Transportation Company, Appellant, vs. The City of Mobile, Julia S. Barnes et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit and was argued

by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller

502. Sewerage & Water Board, of New Orleans, Petitioner, v. National Contracting Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr Chief Justice Fuller

Wabash Railroad Company, v. Aff'g in Error, Genevieve Halstead Mattier. In Error to the Kansas City Court of Appeals, State of Missouri.

This cause came on to be heard on the transcript of the record from the Kansas City Court of Appeals, State of Missouri, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this

costs, and damages at the rate of ten per cent. in addition to interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

Per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court would take a recess from Monday the 18th instant to Tuesday, January 2d, 1906.

130. Thomas S. Ellis, Appt, vs. William Williams, Commissioner.
111 & 114. Southern Pacific R.R. Co., et al., Appts, vs. The United States.
158 Southern Pacific Co., et al., Appts, vs. The Interstate Commerce Commission.
159. Southern California Ry Co, Appt, vs. The Interstate Commerce Commission et al.
160. Atchison, Topeka & Santa Fe Ry Co, Appt, vs. The Interstate Commerce Commission.
161. Santa Fe Pacific R.R. Co, Appt, vs. The Interstate Commerce Commission et al.
162. Southern Pacific Co, Appt, vs. The Interstate Commerce Commission.

On motion of Mr. Solicitor General Hoyt, It is ordered by the Court that these cases be, and the same are hereby, passed temporarily.

339. Ah Sou, Appellant, vs. The United States.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Hoyt, in support of the same, and Mr. John M. Thurston, in opposition thereto.

152.

154 & 156

393.

504.

The Atlantic Coast Line R.R. Co., Plff in Error,
vs.
The State of Florida ex rel. H. H. Ellis, Attorney General, et al.;
Seaboard Air Line Railway, Plff in Error,
vs.
The State of Florida ex rel. H. H. Ellis, Attorney General, et al.

On motion of Mr. H. H. Herbert, in behalf of counsel, it is ordered by the Court that these causes be, and the same are hereby, passed, subject to the provisions of Section 7 of Rule

Ex parte In the matter of, The Commonwealth of Kentucky, Petitioner.

Mr. Lawrence Maxwell, Jr., of counsel for the petitioner, submitted the consideration of the Court a motion for leave, file a petition for a writ of mandamus herein.

The Commonwealth of Kentucky, Appellant,
vs.
Caleb Powers.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Richard Yates, Mr. Francis S. Black, Mr. R. D. Hill, Mr. E. L. Worthington, Mr. James . Sims, and Mr. H. Clay Howard, in support of the same, and Mr. Lawrence Maxwell, Jr., and Mr. . B. Hays, in opposition thereto.

Copper River Mining Co., Petitioner,
vs.
R. F. McClintock et al.

The petition for a writ of certiorari herein was submitted to the

Court by Mr. W. B. Hayburn and Mr. Charles A. Aldrich, in support of the same, and leave was granted counsel for respondents to file a brief in opposition thereto within two weeks. 512.

404. John N. Mitchell, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the District of Oregon.

This cause having been called to the attention of the Court by Mr. John M. Thurston, of counsel for the plaintiff in error, and he having suggested that this cause has abated, owing to the death of the plaintiff in error, Therefore, in pursuance of such suggestion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed. (Per Mr. Chief Justice Fuller.) 178.

300. William N. Andrews, Plff in Error, vs. Eastern Oregon Land Co. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. A. B. Browne and Mr. Alexander Britton, in support of the same, and Mr. S. M. Stockslager and Mr. George C. Heard, in opposition thereto. 124.

The Iroquois Transportation Company, Claimant &c., vs. Petitioner, A. Harvey's Sons Manuf'g Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on Print and arguments by Mr. C. E. Kremer, in support of the same, and Mr. Henry B. Graves, in opposition thereto.

Charles N. DeArnaud, vs. Plff in Error, Fred C. Ainsworth.

In Error to the Court of Appeals of the District of Columbia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, Now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Taft.

William F. Tryber, vs. Appellant, McGregor Creamery Association et al.

Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court

that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice [illegible]

111. In the matter of the petition of D. H. Robinson and Marie Carran for a writ of habeas corpus.

This cause was submitted to the Court on the record and arguments by Mr. J. W. Robinson and Mr. [illegible] Smith, of counsel for the petitioners, and Mr. Giles, Mr. George Donworth, and Mr. James [illegible] of counsel for the respondent.

117. J. L. Congdon, vs. Plff in Error, The People of the State of Michigan.

The argument of this cause was commenced by Mr. Thomas J. [illegible] naugh, of counsel for plaintiff in error, continued by Mr. Russell M. Chase, of counsel for defendants in error, and concluded by Mr. Cook, of counsel for the plaintiff in error.

119. John M. Haddock, vs. Plff in Error, Harriet Haddock.

This cause was argued by Mr. Abram J. Rose, counsel for the plaintiff in error, and Mr. Henry [illegible] of counsel for the defendant in error.

173. Knoxville Water Company, Appellant
vs.
The Mayor and Aldermen of the City of Knoxville et al.

The argument of this cause was commenced by Mr. Charles T. Cates Jr. of counsel for the appellant, and continued by Mr. John H. Green, of counsel for the appellees

(Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, December 12th, 1905.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John J. Jenkins it is ordered that O. N. Eccle, Esquire, of Fond du Lac, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred C. Rector it is ordered that F. F. D. Albery, Esquire, of Columbus, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

of Medford, and Robert J. Ray Esquire, of Lawton, Territory of Oklahoma, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

George H. Copeland and George Morrill, Appellants, vs. C. H. Baldron and James Pierce. Appeal from the District Court of the United States for the District of Washington.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. And it is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Washington.

Per Mr. Chief Justice Fuller.

Fred C. Rector, Trustee &c., Plaintiff in Error, vs. The City Deposit Bank &c. This cause was submitted to the consideration of the Court on the record and printed.

Argument to by Mr. David F. Pugh, of counsel for the plaintiff in error, and Mr. Talfourd P. Linn, of counsel for the defendant in error.

138. Fred C. Rector Trustee &c., vs. Plff in Error, The Commercial National Bank. This cause was submitted on printed arguments by Mr. David F. Ca counsel for the plaintiff in error, and Mr. Albert of counsel for the defendant in er

172. Knoxville Water Co., vs. Appellant, The Mayor and Aldermen of the City of Knoxville et al. The argument in this cause was com by Mr. Charles of counsel for ap pellant.

174. H. C. Guss et al., vs. Apts and Plffs in Error, J. P. Nelson. This cause was argued by Mr. Bicker, of co for the appell plaintiffs in error, and submitted on a printed argument by Mr. H. K. Biddle and Mr. W. C. of counsel for the appellee and defendant

176. The United States ex rel. Ralph W. Drury and John Dowd, vs. Appellants, Edmund Lewis, Warden &c. This cause argued by Assistant At General Pe counsel for appellants. No counsel appeared for the appel

127. H. J. McCahan Sugar Refining Co. vs. Petitioner, The Steamship "Wildercroft" vs. The argument of this cause was commenced by Mr. Horace D. Cheyney, of counsel for the petitioner and continued, by Mr. J. Parker Kerlin, of counsel for the respondent.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, December 13th, 1905.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. L. C. Bierer it is ordered that W. P. Sprowls and Robert L. Williams, Esquires, of Durant, Indian Territory; W. P. Langston, Esquire, of Holdenville, Indian Territory; J. N. Cline, Esquire, of Ardmore, Oklahoma Territory; and Jake L. Hamon, Wilford M. Smith, and Fred R. Ellis, Esquires, of Lawton, Oklahoma Territory, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. P. Dolliver it is ordered that Charles A. Spiess, Esquire of Las Vegas, New Mexico, be admitted to

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Reed it is ordered that Joseph L. Howard, Esquire, of the Territory of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marion Erwin it is ordered that Joseph R. Lamar, Esquire, of Augusta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Ogden it is ordered that Lewis Maverick, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1115 The Owensboro Water Works Co., of Owensboro, Kentucky, Appellant, vs. The City of Owensboro. This cause was submitted to the Court on the record and printed arguments by Mr. John D. Atchison and Mr. William J. Ellis, of counsel for the appellant and Mr. Charles S. Walker, of counsel for the appellee.

151. Montana Catholic Missions, Plff in Error,
v.
Missoula County, Montana.

This cause was submitted on consideration of the Court on the record and a printed argument by Thomas J. Walsh, of Counsel for the Plff in Error. No Counsel appeared for the defendant in Error.

127. M. J. McEchan Sugar Refining Co., Petitioners,
v.
The Steamship "Wilderoft" &c.

The argument of this cause was continued by Mr. J. [illegible] Kirlin, of Counsel for the respondents, and concluded by Mr. Horace L. Cheyney, of Counsel for the Petitioners.

131. San Antonio Traction Co., Plff in Error,
v.
George A. Allgeyer by his next friend Rose C. Allgeyer.

This cause was argued by Mr. [illegible] Ogden, of Counsel for the Plaintiff in Error. No Counsel appeared for the defendant in error.

133. The Mayor and Aldermen of the City of Vicksburg, Appellants,
v.
The Vicksburg Water Works Co.

This cause was submitted on consideration of the Court on the record and [illegible] arguments by Mr. J. C. Bryson, of Counsel for Appellants and Mr. S. S. [illegible]

Smith, and Mr. J. Hush, of counsel for the appellees

114. Joseph O. Carter et al., Plffs in Error, vs. The Territory of Hawaii, This cause was argued by Mr. S. M. Ballou, of counsel for the plaintiffs in error, and leave was granted counsel for the defendant in error to file a printed brief hereafter, and to counsel for the plaintiff in error to file a reply thereto within five days.

153. Eleanora D. Speer et al., Appellants, vs. Michael J. Colbert, Trustee, et al. On motion of Mr. Marion Simon leave is hereby granted to three counsel to be heard on behalf of the appellants

153. Eleanora D. Speer et al., Appellants, vs. Michael J. Colbert, Trustee, et al. The argument of this cause was commenced by Mr. Joseph K. Lyman, of counsel for the appellants, and continued by Mr. Conway Robinson, of counsel for the appellants

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, December 14th, 1905.

Pursuant to adjournment the Court met to day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

166.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. Kennedy it is ordered that E. H. Linshaw, Esquire, of Fairbury, and Victor Hugo Duvall, Esquire, of Wilber, State of Nebraska, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

167.

On motion first made to the Court in this behalf by Mr. Ledyard Lincoln it is ordered that John Galvin, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

168.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that Decker Edwards, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William D. Martin, Plff in Error, vs. The New Trinidad Lake Asphalt Company, Limited. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause having been called for hearing in its regular order, and a stipulation of counsel for the respective parties to dismiss this cause having been filed, It is therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party as against the other.

Per Mr. Chief Justice Fuller.

Illinois Central Railroad Co., Plff in Error, vs. P. G. Edwards.

Illinois Central Railroad Co., Plff in Error, vs. D. U. McKendree.

These Cases were submitted to the Consideration of the Court on the record in case No. 68 and a printed argument by Mr. M. Dickinson and Mr. E. F. Trabue, of counsel, for the plaintiff in error. No brief was filed on

170. Rufus Martin, Plff in Error, vs. The State of Texas. On motion of Mr. W. E. Coleman, of Counsel for the plaintiff in error, it is ordered by the Court that this cause be passed temporarily.

171. Louisiana & Missouri River Railroad Company, Plff in Error, vs. Patrick Markey. In Error to the Supreme Court of the State of Missouri.

This cause having been called for hearing in its regular order, and a stipulation of counsel for the respective parties to dismiss this cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

172. John Strickley et al., Plffs in Error, vs. The Highland Boy Gold Mining Co. On motion of Mr. George Sutherland, of Counsel for the defendant in error, it is ordered by the Court that this cause be passed temporarily.

153. Eleanora D. Speer et al., Appellants, vs. Michael D. Colbath, Trustee, et al. The argument of this cause was continued by Mr. Conway Robinson, of Counsel for the

appellants and Mr. George E. Hamilton and Mr. M. C. Colbert, of counsel for the appellees, and concluded by Mr. Marion Erwin, of counsel for the appellants.

154. The Hibernia Savings & Loan Society, Plff in Error, vs. The City and County of San Francisco.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. D. C. Van Ness, of counsel for the plaintiff in error. Leave was granted counsel for the defendant in error to file a printed brief hereafter.

157. Chicago, Burlington & Quincy Railway Company, Plff in Error, vs. The People of the State of Illinois ex rel. D. C. Grimwood et al.

This cause was argued by Mr. N. D. Hopkins, of counsel for the plaintiff in error, and Mr. John K. Newhall, of counsel for the defendants in error.

164. The Louisville & Nashville Railroad Company, Plff in Error, vs. F. E. Deer.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. George H. Jones, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

173. Marian J. Looney, Admx &c, vs. Hoff in Error, The Metropolitan Railroad Co., et al.

The Argument of this Cause was Commenced by Mr. M. D. Rosenberg, of Counsel for the Plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. S. Burdett it is ordered that Joseph Spencer Graydon, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Ross Perry, Jr, it is ordered that George E. Hargrave, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Tanzer, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph V. Graff it is ordered that Joseph Story, Esquire, of Greenville, State of Illinois, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lidyard Lincoln it is ordered that Raymond M. Hudson, Esquire, of Newport News, State of Virginia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. A. Russell it is ordered that A. Eddleman, Esquire, of Ardmore, Indian Territory, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

175. Empire State - Idaho Mining and Developing Co., Appellant, vs. Bunker Hill and Sullivan Mining and Concentrating Co.

On motion of Mr. W. B. Heyburn, of counsel for the appellant, It is ordered by the Court that this cause be passed temporarily.

176. First National Bank of Ottawa, Illinois, vs. Plff in Error, Theodore R. Converse, Receiver &c. — On motion of Mr. C. A. Severance, of counsel for the plaintiff in error, It is ordered by the Court that this cause be passed temporarily.

173. Marian J. Looney, Admx &c., vs. Plff in Error, The Metropolitan Railroad Co. et al. — The argument of this cause was continued by Mr. M. D. Ransom, of counsel for the plaintiff in error, and Mr. J. J. Darlington, of counsel for the defendants in error, and concluded by Mr. Alexander Wolf of counsel for the plaintiff in error.

174. The Cincinnati, Portsmouth, Big Sandy & Pomeroy Packet Co., vs. Plff in Error, George H. Bay et al. — This cause was argued by Mr. Ledyard Lincoln, of counsel for the plaintiff in error, and Mr. Joseph Spencer Graydon, of counsel for the defendants in error, and leave was granted counsel to file additional briefs within six days.

177. The Cincinnati, New Orleans & Texas Pacific Railway Co., vs. Plff in Error, George Bohon, Admr &c., et al. — This cause was argued by Mr. John Galvin, of counsel for the plaintiff in error, and Mr. John W. Yerkes, of counsel for the

Monday, December 18th, 1905.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. E. Paden it is ordered that William Stanfield Gleason, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Fay it is ordered that George J. Bergen, Esquire, of Camden, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James H. Hayden it is ordered that George Dutton Watrous and Edward Grant Buckland, Esquires, of

New Haven, State of Connecticut, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Martin L. Snyder it is ordered that Fred. C. Geiger, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No 217. Eclipse Bicycle Company vs. Milland M. Farrow. Appellant, Appeals from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decrees of the said Court of Appeals in this cause be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reinstate the auditor's first report so far as the same disallows a claim in respect of. &c.

Per Mr. Justice Holmes.

46. Minnesota Iron Company, Plff in Error, v. Merritt M. Kline. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Holmes.

118.

85. The Russian American Packing Company, Appellant, v. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr Justice Brown.

74.

86. The Royal Packing Company, Appellant, v. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of

record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

(Per Mr. Justice Brown.)

Sofre L. Alexander, Appellant, vs. Referino L. Crollott, Justice of the Peace of Precinct No. 8 of the County of Bernalillo and Territory of New Mexico. Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and on motions to dismiss or affirm, which were argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brown.)

Peter O. Sjoli, Plff in Error, vs. Charles Dreschel. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of record from the Supreme Court of the State of Minnesota, and was argued by Counsel. On con-

adjudged by this Court that the judgment
said Supreme Court in this cause be, and the
is hereby, reversed with costs; and that the
be, and the same is hereby, remanded to the
Supreme Court for further proceedings no
sistent with the opinion of this Court.

Per Mr. Justice Harlan

(Mr. Justice Brewer did not participate
decision of this case.)

Ex parte. In the matter of
The Commonwealth of Kentucky,
15, Original, (Petitioner.)

On consider
the motion
to file a pet
a writ of
damus herein, It is now here ordered b
Court that said motion be, and the sam
by, granted.

It is further ordered that cause be s
by Hon. Andrew M. J. Cochran, District
of the United States for the Eastern District
tucky, holding the Circuit Court of the Uni
for said District, before this Court on Mond
nary 15, 1906, at 10 o'clock noon of that da
as soon thereafter as counsel can be hear
the prayer of said petition should not be g
and that the response of said District Jud
the motion for leave to file the petition stand
return to the rule.

Per Mr. Justice Harlan

343. The Commonwealth of Kentucky, Appellant, v. Caleb Powers.

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby postponed until after the hearing on the return to the rule to show cause in No. 15, Original, Ex parte, In the matter of The Commonwealth of Kentucky.

Per Mr. Justice Harlan.

167. Illinois Central Railroad Co., v. Aff'g in Error, P. L. Edwards.

168. Illinois Central Railroad Co., v. Aff'g in Error, J. H. McKendree.

It is ordered by the Court that these cases be, and they are hereby restored to the docket for oral argument, and notice of the pendency of these cases is directed to be given to the Attorney General.

Per Mr. Justice Harlan.

300. William H. Andrews, v. Aff'g in Error, Eastern Oregon Land Co.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby postponed until the hearing of the cause on the merits.

Per Mr. Justice Harlan.

517. The Iroquois Transportation Company, Claimant &c., Petitioner, vs. A. Harvey's Sons Manufacturing Company. (Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.)

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Justice Harlan.)

107. Behn, Meyer & Company, Appellants, vs. Campbell & Go Tauco. (Appeal from the Supreme Court of the Philippine Islands.)

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Justice Harlan.)

111. In the Matter of the petition of J. W. Robinson and Marie, Cannau for a writ of habeas corpus. On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered by this Court that this certificate be, and the same is hereby, dismissed.

Per Mr. Justice Harlan.

339. Ah Sou, Appellant, v. The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Harlan.

Mutual Reserve Life Insurance Company, Plff in Error
vs.
Henry C. Birch.

In Error to the Supreme Court of the State of New York.

344.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and damages at the rate of ten per cent. in addition to interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. Justice Harlan.

303.

Reuben Hodges et al.,
vs.
The United States.

Pltffs in Error,

On motion of Mr. Solicitor General Hoyt, It is ordered by the Court that this cause be and the same is hereby reassigned for argument on Monday, February 19th, 1906, after the cases heretofore assigned for that day.

111.

346.
347.
348.

The United States,
vs.
George Riggs & Co.

Petitioner,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed

175.

516.

arguments by Mr. Solicitor General Hoyt for Mr. Chief

ant Attorney General McReynolds in support of the
ame, and Mr. W. Wickham Smith, in opposition
hereto.

The Mercantile Trust & Deposit
Company of Baltimore,
vs. Appellant,
The City of Columbus et al.

The motion to advance this cause, pursuant to the 32d rule was submitted to the consideration of the Court on printed arguments by Mr. A. A. Hinkish, in support of the same, and Mr. Joseph Packard, Mr. John L. Hall, and Mr. O. J. Himberly, in opposition thereto.

The United States, App't, vs. The Cherokee Nation,
The Eastern Cherokees, App'ts, vs. The Cherokee Nation,
The Cherokee Nation, App't, vs. The United States.

The motions for an extension of the time for the argument of these cases and for direction as to the order of argument were submitted to the consideration of the Court by Mr. H. H. Robeson, of counsel for The Eastern Cherokees, and Mr. Frederic D. McKenney, of counsel for The Cherokee Nation.

The Empire State-Idaho Mining
and Developing Company,
vs. Appellant,
The Bunker Hill and Sullivan Mining
and Concentrating Company.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed argu-

and Mr. M. A. Folsom, in support of the
and Mr. George Turner and Mr. P. P. Cost,
sition thereto.

Ex parte In the matter of
The Chicago Title & Trust Co.,
Trustee &c., Petitioner.

Mr. Joseph
of counsel,
to the Court
for leave to fil
tition for a writ of mandamus herein, and
was granted. Mr. James G. Elsdon to file
opposition thereto within one week.

371. Alabama & Vicksburg Railway Co., et al., vs. The Railroad Commission of the State of Mississippi,

Appls in Error,

The motion
miss or affi
this cause
submitted
consideral
the Court
record and printed arguments by Mr.
Taylor and Mr. Monroe McClurg, in supp
the same, and Mr. Henry A. Stall, in opp
thereto.

The State of Oregon, vs. Ethan Allen Hitchcock, Secretary of the Interior, et al.

Complainant,

Mr. H. B. Ma
of counsel for
plainant, su
to the consider
of the Court
for leave to file a bill of complaint herein.

374. Perry F. Powers, Auditor General &c., Appellant, vs. The Detroit, Grand Haven & Milwaukee Railway Co. — Mr. Thomas H. Rich in behalf of counsel, submitted to the consideration of the Court a motion to extend the time for the argument of these cases and that additional counsel be heard on the argument.

397. The Michigan Central R. R. Co., Appellant, vs. Perry F. Powers, Auditor General &c. (and Cases Nos. 1167 to 1187)

190. Wabash Railroad Company, Plff in Error, vs. Bernard Lock. — In Error to the Court of Appeals of Kansas City, Missouri.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan.

Proclamation being made the Court is adjourned until Tuesday, January 2d, 1906, at twelve o'clock.

Tuesday, January 24, 1905.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Edwin N. Hill, Esquire, of Boston, State of Massachusetts, and Judson G. Wells, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. J. Hamlin it is ordered that Erasmus C. Lindley, Edgar Bronson Tolman, and Glenn Edward Plumb, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. M. Bickford it is ordered that George F. Shelton, Esquire, of Butte, State of Montana, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James G. Flanders it is ordered that William Pierce, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Sam B. Jaffries it is ordered that Frank B. Culkerson, Esquire, of St. Joseph, Arthur P. Murphy, Esquire, of Rollo, and H. S. Tyndall, Esquire, of Platte, State of Missouri, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

The United States for the use and benefit of Daniel A. Hill and Howard Hill, Partners as D. A. Hill & Sons vs. Plffs in Error, American Surety Company of New York.

In Error to the Superior Court of King County, State of Washington.

This cause came on to be heard on the transcript of record from the Superior Court of King County, State of Washington, and was argued by Counsel

and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby remanded to the said Superior Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Day.

177.

58. Alabama Great Southern Railway Company, vs. N. C. Thompson, Administrator of Florence James, deceased. On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the first question certified must be answered in the affirmative and the second in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Day.

164

The Cincinnati New Orleans & Texas Pacific Railway Company, Plff in Error, vs. George Bohon, Administrator of Edward Cook, deceased, and Fred Mulligan. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Justice Gray.

The Louisville & Nashville Railroad Company, Plff in Error, vs. F. E. Dent. In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not

308.

174. The Cincinnati, Portsmouth, Big Sandy & Pomeroy Packet Co., v. Peff in Error, George W. Bay and William Bay. In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

240. John W. Ballmann, v. Appellant, Vivian J. Fagin, United States Marshal for the Southern District of Ohio. Appeal from the Circuit Court of the United States for the Southern District of Ohio.

77.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Holmes.

John H. Bultemann
vs. Riff in Error,
The United States.

In Error to the District Court of the United States for the Southern District of Ohio

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Ohio, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the order of the said District Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby remanded to the said District Court for further proceedings consistent with the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Harlan and Mr. Justice McKenna.

James B. Howard
vs. Riff in Error
The Commonwealth of Kentucky.

In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

Joshua Roberts Mead, Anna Leocadie Lee, William Wesley Mead, et al., Plffs in Error, vs. The City of Portland et al. } On Error to the Supreme Court of the State of Oregon.

No. 160.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Justice McKenna.

The Succession of Juan Semalles, by their attorney in fact Eduardo Wellenkamp, Appellants, vs. Belen Esbri, widow of Cartagena. } Appeal from the Supreme Court of Porto Rico.

No. 25.

This cause came on to be heard on the transcript of the record from the Supreme Court of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Peckham.

151. Montana Catholic Missions. vs. Missoula County, State of Montana.) In Error to the Circuit Court of the United States for the District of Montana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

153. Eleanor A. D. Speer, in her own behalf & by Emory Speer, her husband, and next friend, et al., vs. Michael J. Colbert, one of the substituted trustees under the last will and testament of Ethelbert Carroll Morgan, deceased, et al. Appellants, Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed, costs in this Court to be paid out of the residuary fund.

Thursday, January 9th, 1906. Continued.

George O. Campbell et al., heirs at law of Cornelia E. Campbell, deceased, Plffs in Error, vs. The State of California. — In Error to the Supreme Court of the State of California.

70.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

A. C. Herrick, A. V. Noyes, Charles Labrosse et al., Appellants, vs. Bogpillas Land and Cattle Company. — Appeal from the Supreme Court of the Territory of Arizona.

105.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

91. Fred A. Kolze, Administrator of the estate of Friedrich Kolze, deceased, Appellants, vs. Charlotte E. Headley. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice Brown.

93. Peoria Gas and Electric Company, Appellant, vs. City of Peoria. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court with instructions either to refer it to a commissioner for further findings

deemed necessary, showing the terms and duration of the alleged agreement between the two companies, and how far it was acted upon by them, or that the Court should itself undertake this investigation, and make its findings.

(per Mr. Justice Brewer.)

110. C. E. Howard, Appellant, vs. E. B. Perrin. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar decrees bear in the Courts of the Territory of Arizona.

(per Mr. Justice Brewer.)

75. The Guardian Trust & Deposit Company and The Guarantee Trust and Deposit Company, Petitioners, vs. B. J. Fisher et al. Writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel.

In consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the Circuit Court of the United States for the Western District of North Carolina in this cause be and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court.

Per Mr. Justice Brewer.

Dissentients:
Mr. Justice White
Mr. Justice Peckham
Mr. Justice McKenna

78. Calvin R. Nutt Julia W. Nutt, and Lily K. Ward, Plffs in Error, v. S. Prentiss Knut, and John K. Nutt, Administrator &c, of the estate of Hallie Nutt, deceased. } In Error to the Supreme Court of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Mississippi.

Per Mr. Justice Brewer.

Mr. Chief Justice Fuller and Mr. Justice White dissent.

193. Knoxville Water Company, Appellant, vs. The Mayor and Aldermen of the City of Knoxville et al. } Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Harlan.

Dissenting:
Mr Justice Brown,
Mr Justice White,
Mr Justice Peckham and
Mr Justice Holmes.

1145. The Owensboro Water Works Company, of Owensboro, Kentucky, Appellant, vs. The City of Owensboro. } Appeal from the Circuit Court of the United States for the Western District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Kentucky, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. Per Mr Justice

176. The United States ex rel. Ralph W. Bruce and John Dowd, Appellants, vs. Edward Lewis, Warden of the Common Jail of Allegheny County, Pennsylvania. Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

179. George T. Albright, Appellant, vs. The Territory of New Mexico ex rel. Jesus M. Sandoval. Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

117. J. L. Congdon, Plff in Error, vs. The People of the State of Michigan. In Error to the Supreme Court of the State of Michigan.

This Cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this Cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

16, Original. The State of Oregon, Complainant, vs. Ethan Allen Hitchcock, Secretary of the Interior, and William A. Richards, Commissioner of the General Land Office. On consideration of the motion for leave to file the bill of complaint herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted. It is further ordered that a subpoena returnable on Monday, March 19th, 1906, be issued, and served on the defendants.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of The Chicago Title & Trust Company, Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the

Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

303. The Mercantile Trust & Deposit Company of Baltimore, Appellant, vs. The City of Columbus et al.

On consideration of the motion to advance this cause under Rule 32, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

371. Alabama & Vicksburg Railway Company et al., Plffs in Error, vs. The Railroad Commission of the State of Mississippi.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

516. The United States, Petitioner, vs. George Riggs & Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals, for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the

petition be, and the same is hereby, granted.
Per Mr. Chief Justice Fuller.

1159. Nome Beach Lighterage and Transportation Company, Petitioner, vs. The Standard Marine Insurance Company, Limited, of Liverpool, England. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.
Per Mr. Chief Justice Fuller.

501. Copper River Mining Company, Petitioner, vs. R. F. McClellan et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.
Per Mr. Chief Justice Fuller.

3116. The United States, Appellant, vs. The Cherokee Nation;
3117. The Eastern Cherokees, Appellants, vs. The Cherokee Nation;
3118. The Cherokee Nation, Appellant, vs. The United States.

On consideration of the motions for an extension of time for the argument of these cases, and for direction as to the order of argument, It is now here ordered by the Court that two hours be allowed The United States, two hours to The Cherokee Nation and two hours to The Eastern Cherokees.

It is further ordered that the order of argument shall be as follows: The United States, The Cherokee Nation, The Eastern Cherokees, The Cherokee Nation, The United States.

It is further ordered that two counsel may be heard for each appellant.

Per Mr. Chief Justice Fuller.

3114. Perry F. Powers, Auditor General &c., Appellant, vs. The Detroit, Grand Haven & Milwaukee Railway Co.

3117. The Michigan Central Railroad Co., Appellant, vs. Perry F. Powers, Auditor General &c.

1162. Detroit & Mackinac Railway Co., Appellant, vs. Perry F. Powers, Auditor General &c. (And Nos. 1163 to 1187 inclusive.)

On consideration of the motion to extend the time for the argument of these cases, It is now here ordered by the Court that two hours additional, making six hours in all, be, and the same is, hereby granted.

It is further ordered that more than two counsel may

130. Thomas S. Ellis, Appellant, vs. William Williams, Commissioner of Immigration at the Port of New York. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the appellee and a stipulation of counsel for the respective parties to dismiss this appeal having been filed Therefore, in pursuance of said stipulation It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed. Per Mr. Chief Justice Fuller.

592. Joaequin F. De Vignier et al., Petitioners, vs. The City of New Orleans. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Richard De Gray, Mr. J. D. Rouse and Mr. William Grant, in support of the same.

4, Original. The State of Missouri, Complainant, vs. The State of Illinois et al. On motion of Mr. Sam B. Jeffries, of counsel for the complainant, It is ordered by the Court that four hours be allowed counsel on each side for the argument of this cause, and that three counsel be allowed to argue for the complainant.

The State of Missouri, Complainant,
vs.
No. 11 Original.
The State of Illinois et al.,

The argument of the cause was commenced by Mr. Sam B. Jeffries, of counsel for the complainant, and continued by Mr. James Todd, of counsel for the defendant The Sanitary District of Chicago.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, January 3d, 19

Pursuant to adjournment the Court m
at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief J
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is op

On motion first made to the Court in this beha
D. K. Tone it is ordered that Henry M. As
of Chicago, State of Illinois, be admitted to p
an attorney and counsellor of this Court a
sworn accordingly.

4. Original. The State of Missouri, Complainant, vs. The State of Illinois et al.

The argument o
was continued
Todd, of counsel
fendant The Sta

trict of Chicago, Mr. Charles W. Bates, of counsel for
ant, and Mr. A. J. Hamlin, of counsel for the defend
of Illinois.

Proclamation being made the Court is adjourned
at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,
The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The State of Missouri, Complainant,
vs.
The State of Illinois et al.,
Defendants.
No. 4, Original.

The argument of this cause was concluded by Mr. Herbert S. Hadley, of counsel for the complainant.

340 Edwin P. Hale, Appellant, vs. William Henkel, U. S. Marshal &c.,
341 William H. McAlister, Appellant, vs. William Henkel, U. S. Marshal &c.,

The argument of these causes was commenced by Mr. DeLancey Nicoll, of counsel for the appellants, and continued by Mr. Henry W. Taft, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, January 5th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Felix H. Levy and Edwin P. Grosvenor, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. O. Evans it is ordered that Albert James Campbell, Esquire, of Butte, State of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James G. Flanders it is ordered that

Fawsett, Esquire, of Milwaukee, State of Wisconsin, be, admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Edwin F. Hale, Appellant, vs. William Henkel, U.S. Marshal &c.
William H. McAlister, Appellant, vs. William Henkel, U.S. Marshal &c.

The argument of these cases was continued by Mr. Henry W. Taft, of counsel for the appellee, and concluded by Mr. De Lancey Nicoll, of counsel for the appellants, and leave was granted counsel to file additional briefs within five days.

Lewis M. Alexander, Appellant, vs. The United States,
George A. Whiting, Appellant, vs. " " "
William J. Stuart, Appellant, vs. " " "
Mineral Cape Co., Appellant, vs. " " "
E. T. Hammond et al, Appellants, vs. " " "
Benjamin F. Nelson, Plff in Error, vs. " " "
Anselm C. Bossard, Plff in Error, vs. " " "
Barney J. McNair, Plff in Error, vs. " " "

The argument of these cases was commenced by Mr. James G. Flanders, of counsel for the appellants and plaintiffs in error, and continued by Mr. Frank B. Kellogg, of counsel for the appellee and defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 8th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that George M. Anderson, Esquire, of Rockville, State of Maryland; William W. Scott, Esquire, of Fairmont, State of West Virginia; Malcolm A. Coles, Esquire, of Richmond, State of Virginia; and James A. Tanner, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Black it is ordered that Richard S. Folsom, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. B. C. Brown it is ordered that Marion C. Early, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Brainard H. Warner and Louis D. Wine, Trustees, et al, Appellants, vs. David C. Grayson, Trustee, et al, Appellees. } Appeals from the Court of Appeals of the District of Columbia.

H. Maurice Talbott and Frank I. Wood, Appellants, vs. David C. Grayson, Trustee, et al, Appellees.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, on separate appeals, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, modified in respect to the farmers trust and the ten-foot strip, and as to the sale of the property as an entirety, as indicated in the opinion of this Court, and, as so modified, be, and the same is hereby, affirmed, costs in this Court to be paid by Wood and Talbott.

Per Mr. Justice Day.

Frank L. Wood and H. Maurice Talbott, etal., Appellants, vs. David C. Grayson, Trustee, etal. — Appeal from Court of the Columbia

139.

This cause came on to be heard on the transcript of record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Day.

Joseph O. Carter, William G. Allen, etal., Plffs in Error, vs. The Territory of Hawaii. — In Error to the Supreme Court of the Territory of Hawaii

1144.

This cause came on to be heard on the transcript of record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to affirm the judgment of the Circuit Court and to remand this cause to that Court with directions to grant a new trial.

Per Mr. Justice Holmes

87. Axel N. Hallenborg and J. Edward Addicks, Appellants, vs. Cobre Grande Copper Company et al. } Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

108. P. A. Graham, County Auditor for Greenwood County, et al., Plffs in Error, vs. S. Ellen Folsom, Jennie F. Peek, and Nannie F. McCants. } In Error to the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

52. Armour Packing Company, Plff in Error
vs.
B. R. Lacy, Treasurer of the State of North Carolina. In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Brown,
Mr. Justice White,
Mr. Justice Peckham and
Mr. Justice McKenna.

960.

175. Empire State-Idaho Mining and Developing Company, Appellant,
vs.
Bunker Hill and Sullivan Mining and Concentrating Company. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for

1137.

the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Last Chance Mining Company, et al., Petitioners, vs. Bunker Hill & Sullivan Mining and Concentrating Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Empire State-Idaho Mining and Developing Company, Petitioner, vs. Bunker Hill and Sullivan Mining and Concentrating Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

523. Joaequin F. Deignier et al. Petitioners, vs. The City of New Orleans. On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

(Mr. Justice White took no part in the disposition of this application.)

114. John S. McCallen, Appellant, vs. Alma Mayo Acker, Executrix &c., of Carlos S. Acker, deceased. Appeal from the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

538. C. R. Chipman, Captain &c, et al. vs. James D. McDonald, Admr &c. Petitioners

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Mauldin Mordecai, Mr. Philip N. Tidsden, and Mr. John C. Hartridge, in support of the same, and Mr. A. W. Cockrell, in opposition thereto.

531. Charles C. Browne, vs. The United States Petitioner,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. G. Wells, Mr. William Lindsay and Mr. Louis Marshall, in support of the same, and Mr. Solicitor General Hoyt and Mr. W. Wickham Smith, in opposition thereto.

Ex parte In the matter of The National Enameling and Stamping Company, et al, Petitioners.

Mr. Fritz v. Briesen, in behalf of counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

528. Joyce Thomas, Petitioner, vs. The Provident Life & Trust Co. et al.
529. Lucy L. Wyeth am, Petitioner, vs. The Provident Life & Trust Co. et al.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed ar-

in support of the same, and Mr. John F. Sharrock, in opposition thereto.

Ex parte In the matter of Automatic Switch Company of Baltimore City, Petitioners

Mr. William Stitz, in behalf of counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein, and on motion of Mr. John Ridout leave is hereby granted to file a brief in opposition thereto on or before Friday next.

122. Mutual Reserve Life Insurance Company, vs. George W. Woodward.

In Error to the Supreme Court of the State of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

307. Lottie R. Russell, vs. Benjamin Russell et al.

Appellant,

The motions to dismiss or affirm in this cause were submitted to the

Court on the record and printed arguments by Mr. Robert H. McCarter and Mr. Walter H. Brown, in support of the same, and Mr. John G. Carlisle and Mr. John A. Hazelton, in opposition thereto.

360. H. A. Carter Sheriff &c, Appellant, vs. C. P. Caldwell. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Lawrence Maxwell, Jr., and Mr. H. E. Chilton, of counsel for the appellant, and Mr. C. P. Caldwell in propria persona.

381. Lewis M. Alexander, Appellant, vs. The United States.
387. George A. Whiting, Appellant, vs. " " "
388. William Z. Stuart, Appellant, vs. " " "
389. Grand Rapids Co., Appellant, vs. " " "
395. E. P. Harmon et al, Appellants, vs. " " "
490. Benjamin F. Nelson, Plff in Error, vs. " " "
491. Absalom C. Boswell, Plff in Error, vs. " " "
492. Clarence J. McNair, Plff in Error, vs. " " "

The argument of these cases was continued by Mr. Frank B. Kellogg and Mr. James M. Beck, of counsel for the appellee and defendant in error, and concluded by Mr. James G. Flanders, of counsel for the appellants and plaintiffs in error.

223. The United States, Appellant, vs. Bitter Root Development The argument of this cause was commenced by Mr. M.

for the appellant, and continued by Mr. L. O. Evans, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr. Isidor Rayner it is ordered that Edgar J. Pershing, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1425. Harry B. Davis et al., Petitioners, vs. Thomas R. Jones et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on the printed arguments by Mr. E. Hayward Trenbard, in support of the same, and Mr. Melville Church and Mr. Robert Watson, in opposition thereto.

Tuesday, January 9th, 1906. Continued.

923. The United States, Appellant, vs. Bitter Root Development Company et al.

The argument of this cause was continued, by Mr. L. O. Evans, of Counsel for the appellees, and concluded by Mr. Fred A. Maynard, of Counsel for the appellants, and leave was granted Counsel for the appellees to file, an additional brief within three days.

357. The United States, Appellant, vs. William A. Clark.

The argument of this cause was commenced by Mr. M. C. Burch, of Counsel for the appellant, and continued by Mr. Walter M. Bickford, of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Esquire, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John Ridout it is ordered that W. Clyde Jones, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. L. Jones it is ordered that Ralph Kauffman, Esquire, of Ellensburg, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

359. The United States, appellant, vs. William A. Clark. The argument of this cause was continued by Mr. Walter M. Bickford and Mr. George F. Shelton, of counsel for the appellee, and concluded by Mr. Fred A. Maynard, of counsel for the appellant, and leave was granted counsel for the appellant to file an additional brief within five days.

244. The West Chicago Street Railroad Co., plff in Error, vs. The People of the State of Illinois ex rel. The City of Chicago. The argument of this cause was commenced by Mr. John P. Wilson, of counsel for the plaintiff in error, and continued by Mr. Hamilton Lewis, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday January 11th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White, Associate
Rufus W. Peckham, Justices.
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
John M. Wright, Esquire, Marshal.,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. D. Hayburn it is ordered that Otis E. McCutcheon, Esquire, of Idaho Falls, State of Idaho, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

174 James Buck, Trustee &c.,
N. Aff in Error,
William E. Buck, Treasurer.

On motion of Mr. Thomas H. Clark, in behalf of counsel, It is ordered by the Court that the cause be, and the same is hereby, passed for settlement, per stipulation of counsel.

341. The West Chicago Street Railroad Co., Plff in Error,
vs.
The People of the State of Illinois ex rel. The City of Chicago.

The argument of this cause was continued by Mr. J. Hamilton Lewis and Mr. Granville A. Browning, of counsel for the defendant in error, and concluded by Mr. John P. Wilson, of counsel for the plaintiff in error, and leave was granted to counsel for the defendant in error to file an additional brief within three days.

331. Henry A. Blair et al, Receivers &c., Appts, vs. The City of Chicago et al.
332. The North Chicago City Ry Co., Appt, vs. Henry A. Blair et al, Receivers &c
333. City of Chicago, Appt, vs. John C. Fetzer et al, Receivers &c.
334. Henry A. Blair et al, Receivers &c., Appts, vs. The City of Chicago et al.
335. The Chicago West Division Ry Co., Appt vs. Henry A. Blair et al, Receivers &c.
336. City of Chicago, Appt, vs. John C. Fetzer et al, Receivers &c.

The argument of these cases was commenced, by Mr. Bradnard Tolles, of counsel for the appellants, in Nos. 331, 332, 334 and 335.

Proclamation being made the Court is adjourned until, tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John G. Johnson it is ordered that Charles Henry Tuttle, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. L. Leckie it is ordered that John Allen Bagley, Esquire, of Montpelier, State of Idaho, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Streator, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.—

331. Henry A. Blair et al, Receivers &c., App'ts, vs. The City of Chicago et al,
332. The North Chicago City Ry Co., App't, vs. Henry A. Blair et al, Receivers &c
333. City of Chicago, App't, vs. John C. Fetzer et al., Receivers &c.
334. Henry A. Blair et al, Receivers &c., App'ts, vs. The City of Chicago et al.
335 The Chicago West Division Ry Co., App't, vs. Henry A. Blair et al, Receivers &c
336. City of Chicago, App't, vs. John C. Fetzer et al, Receivers &c.

The argument of these cases was continued by Mr. Brainard Tolles and Mr. John S. Miller, of counsel for the appellants in Nos. 331, 332, 334 and 335, and Mr. Clarence S. Darrow and Mr. Glenn Edward Plumb, of counsel for the City of Chicago.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White, Associate
Rufus W. Peckham, Justices.
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
John M. Wright Esquire, Marshal,
James H. McKenney, Clerk.

(Proclamation being made the Court is opened.)

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that Benjamin J. Demarest, Esquire, of Newark, State of New Jersey, and Victor Lamar Smith, Esquire, of Atlanta, State of Georgia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Golden Donaldson it is ordered that C. L. Cole, Esquire, of Atlantic City, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. C. J. Bowers it is ordered that W. A. Wirt Esquire, of Biloxi, State of Mississippi be admitted, to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. S. Browne it is ordered that Frank E. Fogg, Esquire, of Lewiston, State of Idaho, and L. M. Berkeley, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Wilson it is ordered that William F. Humphrey, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

88. M. L. Gunter, Attorney General of the State of South Carolina, etal., vs. The Atlantic Coast Line Railroad Company. Appellants, Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by Counsel. On consideration whereof, It is now here ordered, ad-

said Circuit Court in this cause, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

Dissenting:
Mr. Justice Brown.

Lottie R. Russell,
v. Appellant
Benjamin Russell and Howard Compton individually & as Executors of John Russell, deceased.

Appeal from the United States Circuit Court of Appeals for the Third Circuit

307

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Ex Parte In the matter of Automatic Switch Company of Baltimore City, Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus, herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of Automatic Switch Company of Baltimore City, Petitioner. On consideration of the petition for a writ of mandamus herein, It is now here ordered by the Court, that Cause be shown by the Judges of the United States Circuit Court of Appeals for the Second Circuit before this Court, at the City of Washington, on Monday, January 29th, 1906, at twelve o'clock noon of that day, or as soon there after as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of National Enameling and Stamping Company and Lalance & Grosjean Manufacturing Company, Petitioners. On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of National Enameling and Stamping Company and Lalance & Grosjean Manufacturing Company, Petitioners. On consideration of the petition for a writ of mandamus herein, It is now here ordered by the Court that

Court of Appeals for the Second Circuit before this Court, at the City of Washington, on Monday, January 29th, 1906, at twelve o'clock noon of that day, or as soon thereafter as Counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice Fuller.

1435. Henry B. Davis et al, trading as The Baltimore Manufacturing Company, Petitioners, vs. Thomas R. Jones, trading as The Eugene Cap Company, et al. On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of Certiorari, herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

528. Jesse Thomas, Petitioner, vs. The Provident Life & Trust Company et al. On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of Certiorari, herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of Counsel thereup-

now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

529. Lucy L. Hickham, Petitioner, v. The Provident Life & Trust Company et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

531. Charles C. Browne, Petitioner, v. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

C. R. Chipman, as Captain and Master of the Schooner "Alma," et al. vs. James B. McDonald, as Administrator of the estate of Donald McDonald, deceased. (Petitioners,) 538. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals, for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

The State of Kansas, Complainant, vs. The State of Colorado et al Defendants, The United States, Intervenor. 7, Original. On motion of Mr. Assistant Attorney General Campbell, of counsel for the intervenor, it is now here ordered by the Court that the evidence herein be opened, published, and filed.

George H. Felts, Appellant, vs. E. J. Murphy, Warden &c. 533. Mr. William E. Mason, of counsel for the appellant, submitted to the Consideration of the Court a motion to advance this cause.

1405. George N. Jones, vs. Affm in Error, William Vane et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. S. M. Stockslager, and Mr. George C. Heard, in support of the same, and Mr. William T. Bisdall, in opposition thereto.

184. The Travelers Insurance Co., of Hartford, Conn. vs. Affm in Error, Henry R. Prewitt, Insurance, Commissioner &c.

On motion of Mr. J. N. Hazelrigg, of counsel for the defendant in error, it is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with Case No. 178, as one case.

526. Albert M. Raymond, vs. Petitioner, The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Levi N. David, in support of the same, and leave was granted. Counsel for the respondent to file a brief in opposition thereto on or before Friday next.

1424. The County Commissioners of Tuscumbia County, vs. Petitioners, Samuel Bancroft, Jr.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed ar-

Lamar, and Mr. Nicholas C. Bond in opposition thereto.

544. Effie C. Nilson, Petitioner, vs. Samuel A. Hoffman. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George J. Bergen, in support of the same, and Mr. C. L. Cole, in opposition thereto.

543. Giuseppe Manno, Appellant, vs. Frank H. Sommer, Sheriff of Essex County, New Jersey. Appeal from the Circuit Court of the United States for the District of New Jersey.

It appearing to the Court that a motion of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

331. Henry A. Blair et al, Receivers &c, Appts, vs. The City of Chicago et al.
332. The North Chicago City Ry Co., Appt vs. Henry A. Blair et al, Receivers &c.
333. City of Chicago, Appt, vs. John C. Felger et al, (Receivers &c.)
334. Henry A. Blair et al Receivers &c, Appts, vs. The City of Chicago et al.
335 The Chicago West Division Ry Co, Appt, vs. Henry A. Blair et al, Receivers
336 City of Chicago, Appt, vs. John C. Felger et al, Receivers &c.

The argument of these cases was continued by Mr. E. B. Tolman, of counsel for the City of Chicago,

for the appellants in Nos. 331, 332, 334 and 335.

407. Anna Siegel, Pff in Error, vs. The New York & Harlem R.R. Co. et al.
1152. Hedwig Kriele, Pff in Error, vs. " " " " " " " "
1154. David H. O'Neil et al., Pffs in Error, vs. " " " " " " " "
1193. Franziska Scholz, Pff in Error, vs. " " " " " " " "

The argument of these cases was commenced by Mr. L. M. Berkeley, of Counsel for the Plaintiffs in error, and continued by Mr. Edward Winslow Paige, of Counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that Herbert Jackson Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Culberson it is ordered that T. D. Gresham, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Parker, Jr., Esquire, of Vinita, Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1107. Anna Siegel, Plff in Error, vs. The New York & Harlem R.R. Co., etal.
453. Hedwig Kriete, Plff in Error, vs. " " " " " " " " " "
1154. David H. O'Neil etal, Plff in Error, vs. " " " " " " " " " "
493. Franziska Scholz, Plff in Error, vs. " " " " " " " " " "

The argument of these cases was continued by Mr. Edward Winslow Paige and Mr. Ira A. Hael, of counsel for the defendants in error, and concluded by Mr. L. M. Berkeley, of counsel for the plaintiffs in error.

178. Security Mutual Life Insurance Company, Plff in Error, vs. Henry R. Prewitt, Insurance Commissioner &c.

184. The Travelers Insurance Company of Hartford, Conn, Plff in Error, vs. Henry R. Prewitt, Insurance Commissioner &c.

The argument of these cases was commenced by Mr. William Marshall Bullitt, of counsel for the plaintiff in error in No. 178, and continued by Mr. E. F. Trabue, of counsel, for the plaintiff in error in No. 184, and Mr. J. N. Hazelrigg, of counsel for the defendant in error, and concluded by Mr. John G. Johnson, of counsel for the plaintiff in error in No. 184.

Tuesday January 16th 1906 Continued.

316. The United States, Appellant, vs. The Cherokee Nation,
317. The Eastern Cherokees, Appellants, vs. The Cherokee Nation,
318. The Cherokee Nation, Appellant, vs. The United States.

The argument of these cases was commenced by Mr. Assistant Attorney General Pradt, of counsel for The United States.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, January 17th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles F. Conrad it is ordered that James J. Brooks and Henry J. Hersey, Esquires, of Denver, State of Colorado, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Carlisle it is ordered that James K. Jones, Jr., Esquire, of Washington, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

346. The United States, Appellant, vs. The Cherokee Nation,
347. The Eastern Cherokees, Appellants, vs. The Cherokee Nation,
348. The Cherokee Nation, Appellant, vs. The United States.

The argument of these cases was continued by Mr. Assistant Attorney General Pradt of counsel for The United States, Mr. Frederic D. McKenney, of counsel for The Cherokee Nation, and Mrs. Belva A. Lockwood, of counsel for The Eastern and Emigrant Cherokees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, January 15, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

(Proclamation being made the Court is opened.)

On motion first made to the Court in this behalf by Mr. John L. Kennedy it is ordered that Charles A. Goss, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank S. Black it is ordered that Henderson Peck, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter C. Stephens it is ordered that William [illegible]

Borland, Esquire, of Kansas City, State of Missouri, was admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. B. F. Burwell it is ordered that C. Porter Johnson, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

346. The United States, Appellant, vs. The Cherokee Nation,
347. The Eastern Cherokees, Appellants, vs. The Cherokee Nation
348. The Cherokee Nation, Appellant, vs. The United States.

The argument of these cases was continued by Mrs. Zelda A. Lockwood, of Counsel for "The Eastern and Emigrant Cherokees" Mr. Robert L. Owen, Mr. H. A. Robeson, of Counsel for The Eastern Cherokees, and Mr. Charles Nagel, of Counsel for The Cherokee Nation, and concluded by Mr. Assistant Attorney General Pradt, of Counsel for The United States, and leave was granted Counsel to file additional briefs within six days.

Frederic H. Lincoln et al., Plffs in Error, vs. The United States. } No. 19 of Oct. T. 1904

Warner, Barnes & Co. Limited, Appellant, vs. The United States. } No. 44 of Oct. T. 1905

The reargument of these cases was commenced by Mr. Paul Fuller, of Counsel for the Plaintiffs in error (Petitioners).

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, January 19th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John N. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Thomas James Norton, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alphonso Hart it is ordered that J. A. Wood and George W. Blankenship, Esquires, of Bristol, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

181. Jose S. Esquibel, vs. Francisco S. Chaves. Appeal from the Supreme Court of the Territory of New Mexico

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court heretofore ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice White.

149 of Orig. Docket. Frederic H. Lincoln et al., vs. Plffs in Error, The United States.

166 of Orig. Docket. Warner, Barnes & Co., Limited, vs. Appellant, The United States.

The reargument of these cases was continued by Mr. Frederic R. Coudert, of counsel for the plaintiffs in error and appellant, and Mr. Attorney General Moody and Mr. Solicitor General Hoyt, of counsel for the defendant in error and appellee, and concluded by Mr. John G. Carlisle, of counsel for the plaintiffs in error and appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 22d, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Sinclair B. Shelby, Esquire, of Rome, State of Georgia, and Stephen M. Hoye, Esquire, of Brooklyn, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius Kahn it is ordered that Stuart Milton Kohn, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank S. Block it is ordered that Francis B. Mullin, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick DeCourcy Faust it is ordered that Andrew Y. Bradley, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Martin Conboy it is ordered that Charles Wesley Tooke, Esquire, of Syracuse, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Culberson it is ordered that James D. Davis, Esquire, of Fort Worth, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

San Antonio Traction Company, Plff in Error, vs. George A. Altgelt, suing herein by his next friend George C. Altgelt. In Error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas.

131.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Justice Brown.

H. C. Guss, J. H. McNeal, H. H. Gray and Frank N. Greer, Appellants, vs. J. D. Nelson. Appeal from the Supreme Court of the Territory of Oklahoma.

124.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brewer.

(Mr. Justice McKenna took no part in the decision of this case.)

1911. U. C. Guss, J. H. McNeal, H. N. Gary and Frank H. Greer, Plffs in Error, v. J. P. Nelson. In Error to the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is, hereby, affirmed with costs.

per Mr. Justice Brewer.

(Mr. Justice McKenna took no part in the decision of this case.)

* Sup. 294.

360. W. N. Carper, Sheriff of Wood County, West Virginia, v. C. P. Caldwell. Appellant, Appeal from the Circuit Court of the United States for the Northern District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to quash the writ and dismiss

1144. The County Commissioners of Wicomico County, Petitioners, vs. Samuel Bancroft Jr. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

596. Albert M. Raymond, Petitioner, vs. The United States. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

5144. Effie C. Wilson, Petitioner, vs. Samuel D. Hoffman. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari,

for the Third Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

533. George N. Felts, Appellant, v. E. J. Murphy, Warden &c. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 19th next, after the causes heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

405. George N. Jones, Plff in Error, v. William Vane and Mary Vane, his wife, and The State of Idaho. In Error to the Supreme Court of the State of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

537. Joseph Ralph Burton, Plff in Error, vs. The United States.

Mr. Solicitor General Hoyt submitted to the consideration of the Court a motion to advance this cause.)

557. E. L. Whitney, Warden &c., Petitioner, vs. George Dick.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Hoyt, in support of the same, and Mr. Frank E. Fogg, in opposition thereto.

550. A. Percy Wright, Petitioner, vs. East Riverside Irrigation District.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. F. Humphrey and Mr. Garret W. McEnerney, in support of the same, and Mr. Byron Waters, in opposition thereto.

404. Anna Valentina, Appellant, vs. James H. Mercer, Sheriff &c.

Mr. Robert M. McCarter, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.)

552. J. N. Moore et al., Petitioners, vs. John Dalton et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. S. M. Stockslager, in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto within twenty days.

Ex parte In the matter of George W. Hall and James M. Doran, Petitioners. Mr. H. C. Arnold, of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

535. North Pacific Coast R. R. Co., Petitioner, vs. Mrs. Catherine Hall et al., by Patrick Cassidy, Guardian.

536. North Shore Railroad Co., Petitioner, vs. J. S. McCue.

537. North Pacific Coast R. R. Co., Petitioner, vs. Mrs. Catherine Hall et al., by Patrick Cassidy, guardian.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by George W. Towle, Jr., in support of the same, and Mr. N. V. Morehouse, in opposition thereto.

1107. Anna Siegel, Aff'in Error, vs. The New York & Harlem R.R.Co., et al.
1153. Hedwig Kniehl, Aff'in Error, vs. " " " " " " " " "
1154. David K. O'Neil et al., Aff'in Error, vs. " " " " " " " " "
1161. Francisca Scholz, Aff'in Error, vs. " " " " " " " " "

On motion of Mr. Edward Winslow Paige, of counsel for the defendants in error, leave is hereby granted him to file an additional brief herein.

Ex parte In the matter of Leonard Imboden and James A. Hill, Petitioners.

Mr. Henry J. Hersey, of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein.

Ex parte In the matter of The Commonwealth of Kentucky, Petitioner.
15, Original.

The argument of this case was commenced by Mr. N. B. Hays, of counsel for the petitioner, continued by Mr. E. L. Worthington and Mr. Frank S. Black, of counsel for the respondent, and concluded by Mr. Lawrence Maxwell, Jr., of counsel for the petitioner.

The Commonwealth of Kentucky, Appellant,
vs.
Caleb Powers.
3/3.

It is ordered by the Court that this cause be, and the same is hereby, advanced pursuant to the 3rd Rule and taken as submitted on the record and the printed briefs here-

116. The United States, Plff in Error, vs. The New York & Cuba Mail Steamship Company.

The argument of this cause was commenced by Mr. Assistant Attorney General Robb, of counsel for the plaintiff in error, and continued by Mr. John G. Carlisle, of counsel for the defendant in Error.)

The Chief Justice announced that the Court would take a recess from Monday the 9th instant to Monday, February 13th next.)

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 23d, 1906.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Drummond Kennedy it is ordered that Samuel M. Howard, Esquire, of Gettysburg, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

116. The United States, Plaintiff in Error, v. The New York & Cuba Mail Steamship Company.

The argument of this cause was continued by Mr. John G. Carlisle, of counsel for the defendant in error and concluded by Mr. Assistant Attorney General Robb of counsel for the plaintiff in error.

158. Southern Pacific Co, et al, Appts, vs. The Interstate Commerce Commission
159. Southern California Ry Co, Appt. vs. The Interstate Commerce Commission &c
160. Atchison, Topeka & Santa Fe Ry Co, Appt. vs. The Interstate Commerce Commission &c.
161. Santa Fe Pacific R.R. Co, Appt. vs. The Interstate Commerce Commission et al.
162. Southern Pacific Co, Appt vs. The Interstate Commerce Commission

The argument of these cases was commenced by Mr. Maxwell Evarts, of Counsel for the appellants and continued by Mr. L. A. Shaver and Mr. Joseph H. Call, of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, January 9th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John W. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Oscar Shevelt it is ordered that William A. Surratt, Esquire, of Baltimore, State of Maryland, and Thomas M. Henry, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Severance it is ordered that Benjamin D. Hyde, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

158. Southern Pacific Co. et al, Appts vs The Interstate Commerce Commission
159. Southern California Ry Co., Appt vs The Interstate Commerce Commission et al
160. Atchison, Topeka & Santa Fe Ry Co., Appt, vs The Interstate Commerce Commission et al
161. Santa Fe Pacific R. R. Co., Appt, vs The Interstate Commerce Commission et al
162 Southern Pacific Co. Appt vs The Interstate Commerce Commission

The argument of these cases was continued by Mr. Joseph H. Call, of counsel for the appellee, and concluded by Mr. Robert Dunlap, of counsel for the appellants.

141. The Southern Pacific Railroad Co., et al, vs. The United States. Appellants,

This cause was argued by Mr. Maxwell Evarts, of counsel for the appellants, and, Mr. Joseph H. Call, of counsel for the appellee.

142. The Southern Pacific Railroad Co, et al, vs. The United States. Appellants,

The argument of this cause was commenced by Mr. Maxwell, Evarts, of counsel for the appellants and continued by Mr. Joseph H. Call, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M.

Thursday, January 25th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. S. Boutell it is ordered that Albert Dean Currier, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1162. The Southern Pacific Railroad Company et al., Appellants, vs. The United States.

The argument of this cause was continued by Mr. Joseph N. Call, of counsel for the appellee, and concluded by Mr. Maxwell Evarts, of counsel for the appellants.

170. Rufus Martin, Plff in Error, v. The State of Texas. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Nelson E. Coleman, of counsel for the plaintiff in error, and Mr. C. K. Bell, of counsel for the defendant in error.

172. John Strickley et al., Plffs in Error, v. The Highland Boy Gold Mining Company. This cause was argued by Mr. George Sutherland, of counsel for the defendant in error, and submitted on a printed argument by Mr. Arthur Brown, of counsel for the plaintiffs in error.

176. First National Bank of Ottawa, Illinois, Plff in Error, v. Theodore R. Conover, Receiver. The argument of this cause was commenced by Mr. Lester H. Bowers, of counsel for the plaintiff in error, and continued by Mr. C. A. Severance, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, January 26th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John N. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Adrian H. Joline it is ordered that Archibald C. Shenstone, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

78. Calvin R. Mutt et al., vs. Pliffs in Error, S. Prentiss Knut et al.

On motion of Mr. William Nitz, in behalf of counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandate in this cause.

1401. The Drake & Stratton Company vs. Aff'in Error
Alden Anderson a minor, by Andrew L. Derby, his guardian ad litem
In Error to the Circuit Court of the United States for the District of Minnesota

It appearing to the Court that a stipulation of counsel, for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged, by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice [illegible].

1402. The Drake & Stratton Company, vs. Aff'in Error, Michael Senese
In Error to the Circuit Court of the United States, for the District of Minnesota

It appearing to the Court that a stipulation of Counsel for the respective parties to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed.

Per Mr. Chief Justice [illegible].

176. First National Bank of Akron, Ohio, vs. Aff'in Error
The argument of this cause was continued by Mr. C. A. Severance,

fendant in error, and concluded by Mr. Lawrence Arnold Panzer, of counsel for the plaintiff in error.

180. Edward B. Whitney, Trustee, v. Emma B. Bresee. Appellant. This cause was argued by Mr. George H. Gibson, of Counsel for the appellant, and Mr. Adrian H. Joline, of counsel for the appellee.

182. The Territory of New Mexico v. The Atchison, Topeka & Santa Fe Railway Co., et al. Appellant. This cause was argued by Mr. Frank W. Clancy, of counsel for the appellant, and Mr. Robert Dunlap, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Blanke, W. May, Esquire, of Charleston, State of West Virginia, and Blackburn Esterline, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were severally accordingly sworn.

On motion first made to the Court in this behalf by Mr. L. S. Breon it is ordered that Joseph A. Milans, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Owen it is ordered that Frank J. Boudinot, Esquire, of Fort Gibson, Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Webb it is ordered that Thomas P. Hanlon, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that J. M. Rush Jermon, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

154. The Hibernia Savings and Loan Society, Plff in Error, v. The City and County of San Francisco. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme

firmed with costs.

(Per Mr. Justice Brown.)

Ex parte In the matter of George W. Hall and James M. Dolan, Petitioners. On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

Ex parte In the matter of Leonard Imboden and James A. Hill, Petitioners. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

No. 14. Anna Valentina, Appellant, vs. James N. Menees, Sheriff. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on Monday, February 19th next, after the causes heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

535. Joseph Ralph Burton, Plff in Error, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 2d next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

534. North Pacific Coast Railroad Company, Petitioner, vs. Mrs. Catherine Hallet al, by Patrick Cassidy, guardian ad litem. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

536. North Shore Railroad Company Claimant &c., Petitioner, vs. J. S. McCue. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari

the Ninth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

537. North Pacific Coast Railroad Company. Petitioner, vs. Mrs. Catherine Hall et al., by Patrick Cassidy, guardian ad litem. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of Counsel, thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

550. R. Percy Wright, Petitioner, vs. East Riverside Irrigation District. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said

557. E. L. Whitney, Warden of the Idaho State Penitentiary, Petitioner, vs. George Dice. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

(In consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted, and the transcript of record in case No. 1494 is ordered to stand as a return to the writ.

It is further ordered that both cases be advanced to be submitted on printed briefs at any time before April 2d next, if counsel shall be so advised.)

(Per Mr. Chief Justice Fuller.)

407. Anna Siegel, Plff in Error, vs. The New York & Harlem Railroad Company and The New York Central & Hudson River Railroad Co. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed,

hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinions of this Court in the cases of Muhlker v. New York & Harlem Railroad Company, 197 U.S. 544; Birrell v. New York & Harlem Railroad Co, and Kierns v. New York & Harlem Railroad Co, 198 U.S. 390.

Per Mr. Chief Justice Fuller.

453. Hedewig Kniete, Plff in Error, vs. The New York & Harlem Railroad Company and The New York & Putnam & Hudson River Railroad Company. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with Costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinions of this Court in the cases of Muhlker v. New York & Harlem Railroad Co, 197 U.S. 544; Birrell v. New York & Harlem Railroad Co, and Kierns v. New York & Harlem Railroad Co, 198 U.S. 390.

Per Mr. Chief Justice Fuller.

1151. David H. O'Neil, Frederick Sickett, and Christian Dager, Plffs in Error, v. The New York & Harlem Railroad Company and The New York Central & Hudson River Railroad Company. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinions of this Court in the cases of Muhlker v. New York & Harlem Railroad Co., 197 U.S. 544; Birrell v. New York & Harlem Railroad Co., and Kiems v. New York & Harlem Railroad Co., 198 U.S. 390.

Per Mr. Chief Justice Fuller.

443. Franziska Scholz, Plff in Error, v. The New York & Harlem Railroad Company and The New York Central & Hudson River Railroad Company. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York,

It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinions of this Court in the cases of Muhlker v. New York & Harlem Railroad Co., 197 U.S. 544; Birrell v. New York & Harlem Railroad Co., and Kiamos v. New York & Harlem Railroad Co., 198 U.S.

Per Mr. Chief Justice Fuller.

Order.

It is ordered by the Court that paragraph 4 of Rule 9 be, and the same is hereby amended so as to read as follows:

4. In all cases where the period of thirty days is mentioned in Rule 8, it shall be extended to sixty days in writs of error and appeals from California, Oregon, Nevada, Washington, New Mexico, Utah, Arizona, Montana, Wyoming, North Dakota, South Dakota, Alaska, Idaho, Hawaii, and Porto Rico, and to one hundred and twenty days from the Philippine Islands.

Per Mr. Chief Justice Fuller.

516. The United States, Petitioner, vs. George Riggs & Co.

Mr. Solicitor General Hoyt submitted to the consideration of the Court a motion to advance this cause.

553. Robert Sawyer et al., Plffs in Error, vs. The United States. On motion of Mr. Solicitor General Hoyt it is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Monday, April 1st next, after the cases heretofore assigned for that day.

556. Frederick D. Goshorn et al., Petitioners, vs. Royal Trust Company et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry W. Leman, in support of the same, and Mr. Frank N. Scott and Mr. E. A. Bancroft, in opposition thereto.

567. George N. Gilman et al., Petitioners, vs. James A. Hinson. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. L. S. Brown, in support of the same, and Mr. C. C. Poole and Mr. P. C. Brown, in opposition thereto.

77. James B. Howard, Plff in Error, vs. The Commonwealth of Kentucky. On motion of Mr. J. W. Blackburn, Jr., in behalf of counsel for the plaintiff in error, it is ordered by the Court that the mandate in this

The Miners' and Merchants' Bank of Lonaconing, Aff'ts in Error
vs.
Walter Snyder.
1432. On Error to the Court of Appeals of the State of Maryland.

It appearing to the Court that an authority of Counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

331. Henry A. Blair et al., Receivers &c., Appts, vs. The City of Chicago et al.,
332. The North Chicago City Ry Co., Appt, vs. Henry A. Blair et al., Receivers &c.,
334. Henry A. Blair et al, Receivers &c., Appts, vs. The City of Chicago et al
335. The Chicago West Division Ry Co., Appt vs. Henry A. Blair et al, Receivers

On motion of Mr. Joseph S. Auerbach, of Counsel for the Railway Companies, leave is hereby granted, to file an additional brief herein.

Ex parte In the matter of Automatic Switch Company, Petitioner.
18, Original.

On motion of Mr. John Ridout, of Counsel, for the Respondents, it is ordered by the Court that the return day on the rule to show cause, herein be, and the same is hereby, extended to February 5th next.

561. Charles G. Dunn, Receiver &c, vs. Petitioner. Mitchell L. Erlanger, Sheriff &c. The petition for a writ of certiorari herein, was submitted to the consideration of the Court on printed arguments by Mr. William Seeger, in support of the same, and Mr. Henry J. Goldsmith, in opposition thereto.

566. Delta National Bank et al, vs. Petitioners, J. O. Eisenbrook, Trustee &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. E. C. Brandenburg, in support of the same.

Proclamation being made the Court is adjourned until Monday February 19th next at twelve o'clock.

Monday, February 19th, 1906.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices

John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Moody it is ordered that William C. Herron, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harrison Geer it is ordered that Louis C. Stanley, Esquire, of Detroit, State of Michigan be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Mauro it is ordered that Clarence P. Byrnes, Esquire, of Pittsburg, State of Pennsylvania, and C. A. L. Massie, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger Irving Hyekes it is ordered that Loyal E. Knappen, Esquire, of Grand Rapids, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. P. Michener it is ordered that Barry Mohun, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Mason it is ordered that Harry B. North, Esquire, of Rockford, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles D. Cates Jr. it is ordered that James B. Wright, Esquire, of Knoxville, State of Tennessee, be,

of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hemphill it is ordered that Kenneth S. Murchison, Esquire, of Tahlequah, Indian Territory, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that Albert Foster Jones, Esquire, of Oroville, State of California, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. P. Murphy it is ordered that James R. Kinealy, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that John M. Ross, Esquire, of Prescott Territory of Arizona, and Daniel Hebbard Case, Esquire, of Wailuku, Territory of Hawaii, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. McReynolds it is ordered that J. M. Burris,

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State of Missouri, Complainant	vs.	In Equity.
The State of Illinois and The Sanitary District of Chicago.		

This cause came on to be heard on the pleadings and proofs, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the bill of complaint therein be, and the same is hereby, dismissed with costs, without prejudice.

Per Mr. Justice Holmes.

John Strickley and Ellen Strickley,	vs.	In Error to the Supreme Court of the State of Utah.
The Highland Boy Gold Mining Company.	Plffs in Error.	

1792.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

180. Edward B. Whitney, as trustee in bankruptcy of Dresser & Co., vs. Emma B. Dresser. Appellant

Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the order of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Holmes.

173. Marian J. Looney, Administratrix of the estate of James F. Looney, deceased, vs. The Metropolitan Railroad Company and The Washington Railway & Electric Company, Plff in Error

In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause

116. The United States vs. Cliffin in Error, New York & Cuba Mail Steamship Company. In Error to the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to sustain the demurrer.

Per Mr. Justice McKenna.

178. Security Mutual Life Insurance Company vs. Cliffin Error, Henry R. Prewitt, Insurance Commissioner of the State of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

191. The Travelers Insurance Company of Hartford, Connecticut, Plaintiff in Error, v. Henry R. Prewitt, Insurance Commissioner of the State of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Peckham.

193. The United States, Appellant, v. Bitter Root Development Company et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed without prejudice; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Montana.

Per Mr. Justice Peckham.

137. Fred C. Rector, Trustee of Reinhard & Company,
vs. Plff in Error,
The City Deposit Bank & Company.

In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice White.

138. Fred C. Rector, Trustee of Reinhard & Company,
vs. Plff in Error,
The Commercial National Bank.

In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

The First National Bank of Ottawa, Illinois, Plff in Error; vs. Theodore N. Conway, Receiver of the Minnesota Thresher Manufacturing Company. } In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, Reversed with Costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to sustain the demurrer and enter judgment for the Bank.

Per Mr. Justice White.

(Mr. Justice Harlan concurs in the result.)

Dissenting:
Mr. Justice Brewer and Mr. Justice Brown.

The New York, New Haven & Hartford Railroad Company, Appellant, vs. The Interstate Commerce Commission. } Appeals from the Circuit Court of the United States for the Western District of Virginia.

The Interstate Commerce Commission, Appellant, vs. The Chesapeake & Ohio Railway Company and The New York, New Haven & Hartford Railroad Co.

This cause came on to be heard on the transcript of the

the Western District of Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the injunction ordered by the said Circuit Court in this cause be, and the same is hereby, modified, and enlarged by perpetually enjoining The Chesapeake & Ohio Railway Company from taking less than the rates fixed in its published tariff of freight rates, by means of dealing in the purchase and sale of coal, and as thus modified that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, costs in this Court to be paid by The New York, New Haven & Hartford Railroad Company and The Chesapeake & Ohio Railway Company.

Per Mr. Justice White.

141.

The United States,
Appellant,
vs.
The Detroit Timber and Lumber Company et al.,
Martin-Alexander Lumber Company et al.,
Appellants,
vs.
The United States.

106.
165.

Appeals from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court

that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Western District of Arkansas.

Per Mr. Justice Brewer.

Dissenting:
Mr. Justice Harlan and Mr. Justice McKenna.

The Southern Pacific Railroad Company Trustee, et al, Appellants, vs. The United States. } Homer S. King, } Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of California.

Per Mr. Justice Brewer.

142.	The Southern Pacific Railroad Company, Central Trust Company of New York et al, Trustees, Appellants, vs. The United States.	Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of California.

Per Mr. Justice Brewer.

170.	Rufus Martin, Plff in Error, vs. The State of Texas.	In Error to the Court of Criminal Appeals of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Criminal Appeals of the State of Texas, and was argued by counsel; On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Criminal Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Harlan.

The Chief Justice announced that the Court will not sit on the 22d instant.

516. The United States, Petitioner, v. George Rigg & Co. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday October 9th, 1906, after the cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

552. J. N. Moore and L. S. Keller, Petitioners, v. John Dalton, E. B. Hanley, and John F. Maloney Copartners doing business as The Brunswick Building Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

356. Frederick S. Goshorn and Acme Engraving Company, Petitioners, v. Royal Trust Company et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

361. Charles G. Dunn, Receiver of the estate of Victor E. Andre, alleged bankrupt, Petitioner, v. Mitchell L. Erlanger, Sheriff of the County of New York. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

566. Delta National Bank and James A. Smith vs. J. O. Eastabrook, Trustee. Petitioners, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

567. George A. Gilman and James A. Brown, vs. James A. Hinson. Petitioners, On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

14. Reuben Hodges et al., Plffs in Error. vs. The United States. On motion of Mr. Attorney General Moody, It is ordered by the Court that this cause,

ment on Monday, April 2d next, after the cases heretofore assigned for that day.

The Columbian Correspondence College, Appellant, vs. Robert J. Wynne, Postmaster General. 202. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Pindy and Mr. Solicitor General Hoyt, in support of the same, and Mr. A. A. Birney and Mr. Charles A. Ray, in opposition thereto.

J. G. Rawlins et al., Plffs in Error, vs. The State of Georgia. 547. Mr. W. G. Beaulley, in behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

Robert B. Roosevelt, Petitioner, vs. Elbert A. Brinckerhoff et al. 585. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George H. Yeaman and Mr. George B. Hobbe, in support of the same, and Mr. Frederick S. Duncan, in opposition thereto.

The Commonwealth of Virginia, Complainant, vs. The State of West Virginia. Mr. H. A. Anderson, of counsel for the Complainant, sub-

sideration of the Court a motion for leave to file a bill of complaint herein and that process be issued thereon.

571. Duncan Electric Manufacturing Company et al., Petitioners, vs. Siemens & Halske Electric Co. of America. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. R. H. Parkinson, in support of the same, and Mr. Drury W. Cooper, Mr. Edward Rector, and Mr. Thomas B. Kerr, in opposition thereto.

545. Kokomo Steel & Wire Co., Petitioner, vs. Columbia Wire Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. C. Shirley, Mr. Thomas A. Banning and Mr. Ephraim Banning, in support of the same, and Mr. Thomas W. Bakewell, in opposition thereto.

16, Original. The State of Oregon, Complainant, vs. Ethan A. Hitchcock, Secretary of the Interior, et al., Defendants herein. On motion of Mr. Assistant Attorney General Campbell leave is hereby granted to file the demurrer of the defend

16, Original. The State of Oregon, Complainant, vs. Ethan A. Hitchcock, Secretary of the Interior, et al. Mr. Assistant Attorney General Campbell, of counsel for the defendants, submitted to the consideration of the Court a motion to fix a day for the argument of the demurrer herein.

242. The Columbian Correspondence College, Appellant, vs. Robert J. Wynne, Postmaster General, et al. Mr. Charles A. Ray, of counsel for the appellant, suggested to the Court that during the pendency of this cause in this Court Robert J. Wynne has ceased to be Postmaster General and George B. Cortelyou has become such Postmaster General, and moved the Court that the said George B. Cortelyou, as Postmaster General, be made a party appellee herein in the place of the said Robert J. Wynne. Whereupon it is now here ordered by the Court that the said George B. Cortelyou, Postmaster General, be, and he is hereby, made a party appellee in this cause in the place of the said Robert J. Wynne.

302. The State of New Jersey, Appellant, vs. William P. Anderson, Trustee. The petition for a writ of certiorari or for leave to assign errors herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick D. Silber and Mr. A. K. Tenney, in

N. McCarter, in opposition thereto.

557. The Greenwich Insurance Co. of New York City, Petitioners, vs. N. & M. Friedman Co. — The petition for a writ of certiorari herein, was submitted to the Consideration of the Court on printed arguments by Mr. Marx Morris, in support of the same, and Mr. Loyal E. Knappen, in opposition thereto.

424. The County Commissioners of Uniconico County, Petitioners, vs. Samuel Barnes et al. — Mr. James E. Elwood, of counsel, for the petitioners, submitted to the Consideration of the Court a motion to advance this cause.

417. Emilio Montilla y Valdespino, Appellant, vs. Paul Van Syckel, P. Van Syckle & Company and Jose E. Manzanack. — Appeal from the Supreme Court of Porto Rico.

This cause having been called to the attention of the Court by Mr. Barry Mohun, of counsel for the appellant, and a stipulation of counsel for the respective parties to dismiss this appeal having been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, with costs.

547. J. G. Rawlins et al. vs. Plffs in Error, The State of Georgia. — Mr. Charles F. Wilson, in behalf of Counsel for the plaintiffs in error, submitted to the consideration of the Court a motion for leave to prosecute this cause in forma pauperis and that the record be printed at public expense.

562. Edward L. Harper, bankrupt, vs. Petitioner, George C. Rankin, Receiver. — The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. R. A. Ayers, in support of the same, and Mr. John H. Heron, in opposition thereto.

560. Missouri River Power Co., vs. Petitioner, Louis Stadler et al. — The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. B. Browne, Mr. Alexander Britton, Mr. E. C. Day, and Mr. Thomas Buck, in support of the same, and Mr. Thomas J. Walsh, in opposition thereto.

597. David Kawananakoa et al., vs. Appellants, Ellen Albertina Polyblank, otherwise known as Sister Albertina, Purlie, etc. et al. — Mr. A. B. Browne, of Counsel for the Appellees, having filed in open Court the following Certificate to wit:

I, Henry Smith, Clerk of the Supreme Court of the Territory of Hawaii, United States of America, do hereby certify that in a certain cause pending in said Court, wherein Ellen Albertina Pohyblank, otherwise known as Sister Albertina, Trustee for Stella Keomailani Cockett, and Stella K. Cockett, sole beneficiary under said trust, were complainants, and David Kawananakoa, Jonah Kalanianaole, Abigail W. Kawananakoa, Elizabeth K. Kalanianaole, and the German Savings & Loan Society, a corporation, were defendants, a final decree was rendered by said Supreme Court on the 23d day of October, A.D. 1905, affirming the decree of the Circuit Court of the First Judicial District of the Territory of Hawaii, sitting in Equity at Chambers, made and entered therein on the 5th day of May, A.D. 1905, in favor of the said Ellen Albertina Pohyblank, otherwise known as Sister Albertina, Trustee for Stella Keomailani Cockett, and Stella K. Cockett, sole beneficiary under said trust, and against the said David Kawananakoa, Jonah Kalanianaole, Abigail W. Kawananakoa, Elizabeth K. Kalanianaole, and The German Savings & Loan Society, a corporation, and that on the 16th day of November, A.D. 1905, said David Kawananakoa, Jonah Kalanianaole, Abigail W. Kawananakoa, and Elizabeth K. Kalanianaole prayed an appeal to the Supreme Court of the United States, which was allowed by the Chief Justice of the Supreme Court of the Territory of Hawaii, United States of America, on said 16th day of November, A.D. 1905;

my name and affix the seal of said Supreme Court at Honolulu, Territory of Hawaii, U.S.A. this 20th. day of January, A.D. 1906.

"Henry Smith,
(Seal) "Clerk of the Supreme Court
of the Territory of Hawaii."

moved the Court to docket and dismiss this cause pursuant to the 4th Rule: and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged, and decreed by this Court that this appeal from the Supreme Court of the Territory of Hawaii be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

(Per Mr. Chief Justice Fuller.)

505. The Inman Savings & Loan Society, Petitioner, vs. William L. Tull et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Francis J. Heney, in support of the same, and Mr. Robert A. Howard, Mr. Samuel R. Stern, and Mr. Lucius G. Nash, in opposition thereto.

222. Joshua W. Darden, Plff in Error, vs. The State of Arkansas.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Thomas B. Martin, in support of the same, and Mr. Jo. T. Robinson, in opposition thereto.

263. The Lake Erie Transportation Company, Plff in Error, vs. C. H. Wessells, Arthur Dyer, and P. C. Wessells, doing business under the firm-name and style of Wessells & Dyer.

In Error to the Circuit Court of the United States for the Northern District of Ohio.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

17, Original. Ex parte In the matter of National Enameling & Stamping Company et al, Petitioners,

Ex parte In the matter of Automatic Switch Company of Baltimore City,

The argument of these cases was commenced by Mr. Louis Marshall, of counsel for the petitioner in No. 17,

Monday, February 19th, 1906. Continued.

Mr. R. N. Kenyon, of Counsel for the respondent in No. 17, and Mr. W. Clyde Jones, of Counsel for the respondent in No. 18, and concluded by Mr. Philip Mauro, of Counsel for the petitioners in No. 18.

419. Daniel Red Bird et al., Appts, vs. The United States,
420. The Cherokee Nation, Appt, vs. The United States,
421. Mary E. B. Pitt et al., Appts, vs. The United States,
422. The Persons claiming rights in the Cherokee Nation by intermarriage, } Appts. vs. The United States.

The argument of these cases was commenced by Mr. John J. Hemphill, of Counsel for the appellants in No. 419.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, February 20th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. R. W. Breckenridge it is ordered that Roscoe Pound, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. S. L. Leckie it is ordered that Charles J. Wrightsman, Esquire, of Pawnee, Territory of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. E. Burton it is ordered that P. J. Brady, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Meyer Cohen it is ordered that Samuel Alschuler, Esquire, of Aurora, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. W. Sims it is ordered that James H. Wilkerson, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Blair it is ordered that Daniel Blaisdell Ruggles, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

419. Daniel Red Bird et al., Appts, vs. The United States,
420. The Cherokee Nation, Appt, vs. The United States,
421. Francis B. Fite et al., Appts, vs. The United States,
422. The Persons claiming rights in the Cherokee Nation by intermarriage, } Appts vs. The United States.

Tuesday February 20th, 1906, Continued.

John J. Hemphill, of Counsel for the appellants in No. 419, M. J. S. Davenport and Mr. W. P. Hutchings, of Counsel for the appellants in No. 421 and Mr. William Henry White, of Counsel for the appellants in No. 422, and Concluded by Mr. Edgar Smith, of Counsel for the appellant in No. 420.

Proclamation being made the Court is adjourned until tomorrow afternoon at two o'clock.

Wednesday, February 21st, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. R. Wayne Parker it is ordered that James M. Trimble, Esquire, of Montclair, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel N. Piles it is ordered that Ernest C. Macdonald, Esquire, of Spokane, and Edward Wesley Rose, Esquire, of Olympia, State of Washington, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by

D. Taylor, Esquire, of Glenwood Springs, State of Colorado, was admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

The State of Washington, Complainant, vs. The State of Oregon. Mr. Ernest C. Macdonald, of counsel, for the complainant, submitted to the consideration of the Court a motion for leave to file a bill of complaint herein.

The Cherokee Nation, Appellant, vs. The United States. 420. On motion of Mr. Edgar Smith, of counsel for the appellant leave is hereby granted him to file a supplemental brief herein.

The State of Wisconsin, Complainant, vs. Ethan Allen Hitchcock, Secretary of the Interior. 12, Original. The demurrer herein was argued by Mr. A. C. Campbell, in support of the same, and Mr. J. M. Spence in opposition thereto.

The Michigan Central Railroad Co., Appellant, vs. Perry F. Powers, Auditor General &c. 397. The argument of these cases was commenced by Mr. Lloyd W. Bowers, of counsel for the appellants.

Detroit & Mackinac Railway Co., Appellant, vs. Perry F. Powers, Auditor General &c. 462.

Pro confessa motion being made the Court is advised until Friday

Friday, February 23d. 1906.

Pursuant to adjournment the Court met to day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Kittredge it is ordered that Thomas Sterling, Esquire, of Vermillion, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. E. Butterfield it is ordered that Burton Esker, Esquire, of Monroe, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Syracuse, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. H. Bonynge it is ordered that C. Webster Hoyt, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lloyd W. Bowers it is ordered that Daniel E. Riordan, Esquire, of Eagle River, and Charles P. Bundy, Esquire, of Eau Claire, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to this Court in this behalf by Mr. George W. Rea it is ordered that Dorr Raymond Cobb, Esquire, of Syracuse, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to this Court in this behalf by Mr. Walter S. Logan it is ordered that Earllies P. Irvine, Esquire, of New Haven, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to this Court in this behalf by Mr.

Esquire, of Fort Smith, State of Arkansas be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. P. Campbell it is ordered that William J. Gregg, Esquire, of Pittsburg, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. L. Webster it is ordered that William A. Gurley, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Adamson it is ordered that J. J. Barge, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

599. Ferdinand Eidman, Collector &c., Petitioner, vs. Frederick B. Pilgrim et al., Executors &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Assistant Attorney General Robb and Mr. Solicitor General Hoyt, in support of the same, and Mr. Edward B. Whitney, in opposition thereto.

397. The Michigan Central Railroad Co., Appellant
vs.
Perry F. Powers, Auditor General &c.

462. Detroit & Mackinac Railway Co., Appellant
vs.
Perry F. Powers, Auditor General &c.

(and Nos. 463 to 487 inclusive, various R. R. Cos., Tunnel & Bridge Co's. Appls. vs. Powers, Auditor General &c.)

Reargument of these cases was continued by Mr. Lloyd W. Bowers, of counsel for the appellants, Mr. Charles A. Blair, Mr. Roger Irving Hoyles, and Mr. Loyal E. Knappen, of counsel for the appellee, and Mr. O. E. Butterfield, and Mr. Benton Stanchett, of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock M.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. Attorney General Moody it is ordered that William N. Brooks, Esquire, of Holyoke, James B. Carroll, Walter S. Robinson and Charles L. Gardner, Esquires, of Springfield, and Boyd B. Jones, Esquire, of Haverhill, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton D. Purdy it is ordered that George H. Buck, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court

On motion first made to the Court in this behalf by Mr. A. C. Crane it is ordered that P. P. Woodburn, Esquire, of Holton, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tracy L. Jeffords it is ordered that Francis M. Cox, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. O. Young it is ordered that James Everett Ball, Esquire, of Marquette, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. H. Bonynge it is ordered that Joseph M. Dixon, Esquire, of Missoula, State of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. C. Payson it is ordered that Charles F. Hardinger, Esquire, of Osceola, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Kittredge it is ordered that J. G. Hamilton, Esquire, of Grand Forks, and Charles J. Maddux, Esquire, of New Rockford, State of North Dakota, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Southern Pacific Company, Atchison, Topeka & Santa Fe Railway Company et al, Appellants,
158 vs.
The Interstate Commerce Commission.

Southern California Railway Company, Appellant,
157. vs.
The Interstate Commerce Commission et al.

Atchison, Topeka & Santa Fe Railway Company,
160. vs. Appellant,
The Interstate Commerce Commission et al.

Santa Fe Pacific Railroad Company, Appellant,
161. vs.
The Interstate Commerce Commission et al.

Southern Pacific Company, Appellant,
162. vs.
The Interstate Commerce Commission.

Appeals from the Circuit Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, on separate appeals,

It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice Peckham.

The Commonwealth of Virginia, Complainant, vs. The State of West Virginia. On consideration of the motion for leave to file the bill of complaint herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that a subpœna issue, returnable on Monday October 8th next.

Per Mr. Chief Justice Fuller.

The State of Washington, Complainant, vs. The State of Oregon. On consideration of the motion for leave to file the bill of complaint herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that process issue thereon.

Per Mr. Chief Justice Fuller.

No. 16, Original. The State of Oregon, Complainant, vs. Ethan Allen Hitchcock, Secretary of the Interior, et al. On consideration of the motion to fix a day for the argument of the demur-

is now here ordered by the Court that said demurrer be, and the same is hereby, assigned for argument on Monday, April 2d next after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

302. The State of New Jersey, Appellant, vs. William H. Anderson, Trustee &c. On consideration of the petition for a writ of certiorari or for leave to assign cross-errors herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, granted, the record heretofore filed herein on appeal to stand as a return to said writ.

(Per Mr. Chief Justice Fuller.)

494. The County Commissioners of Hercules County, Petitioners, vs. Samuel Barnes of t, Jr. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 9th next, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

547. J. L. Rawlins et al., vs. Effie in Error, The State of Georgia.

On consideration of the motion for leave to prosecute this cause, in forma pauperis and that the record be printed at public expense, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

547. J. L. Rawlins et al., vs. Effie in Error, The State of Georgia.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 2d next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

599. Ferdinand Eidman, Collector of Internal Revenue, vs. Frederick B. Pilgrim et al., Executors of Frederick H. Britton, deceased.

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said pe-

505. The German Savings and Loan Society, Petitioner, vs. William L. Pull et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

542. Kokomo Steel & Wire Company, Petitioner, vs. Columbia Steel Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

559. The Greenwich Insurance Company of New York City, Petitioner, v. N. & M. Trialman Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

560. Missouri River Power Company, Petitioner, v. Louis Stadler et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

562. Edward L. Kemper, bankrupt, Petitioner, vs. George C. Rankin, Receiver of the Fidelity National Bank of Cincinnati, Ohio. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

571. Duncan Electric Manufacturing Company et al., Petitioners, vs. Siemens & Halske Electric Company of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

585. Robert B. Roosevelt vs. Silent A. Pinckerhoff et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

592. Joshua H. Darden vs. The State of Arkansas. — On Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The Columbian Correspondence College, Appellant, vs. George B. Cortelyou, Postmaster General of the United States et al. Appeal from the Court of Appeals of the District of Columbia.

247.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Rochester Railway Co., Plff in Error, vs. City of Rochester.

501.

Mr. William H. Webb, of Counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

375. Hong Hing, Petitioner, vs. The United States,
376. Hong Ding Chong, Petitioner, vs. The United States,
377. Dang Ming, Petitioner, vs. The United States,
378. Hong Hark, Petitioner, vs. The United States,
379. Lam [illegible], Petitioner, vs. The United States.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Francis J. Hing, in support of the same, and Mr. Solicitor General Hoyt, in opposition.

540. Charles S. Lyndeman et al., Executors, et al. vs. Appellants / Gabriella A. Jordan. — Mr. Frank H. Hackett, of counsel for the appellee submitted to the consideration of the Court a motion to advance the cause.

548. Taylor Knoll, vs. Petitioner, / The United States. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John C. Gittings, in support of the same, and Mr. Solicitor General Hoyt, in opposition thereto.

601. The Town of Fletcher, vs. Petitioner, / Samuel G. Hickmen, — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Robert H. Bonynge, and Mr. H. L. Ritter, in support of the same, and Mr. T. K. Slinker, in opposition thereto.

631. Fannie D. Galbraith, vs. Petitioner, / Illinois Steel Company. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. A. Goodrich, in support of the same, and Mr. William Duff Haynie, in opposition thereto.

694. Albert K. Hiseover, Trustee &c., vs. Jacob M. Mordecai, Petitioners. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Will D. Crowley, in support of the same, and Mr. Dorr Raymond Cobb, in opposition thereto.

Ex parte In the matter of Columbia George and Joy Joy, Petitioners. The motion for leave to file a petition for a writ of Habeas Corpus herein was submitted to the consideration of the Court by Mr. A. E. Crane and Mr. F. P. Woodburn, in support of the same.

580. P. N. Barnesdall, vs. Thomas S. Wallingford. Petitioner, The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Fr. N. Bryant and Mr. Charles S. Thomas, in support of the same, and Mr. J. Webster Hoyt, in opposition thereto.

1, Original The State of New Jersey, vs. The State of Delaware. Complainant, The preliminary report of the master herein was presented and ordered to be filed and suggestions in relation thereto were submitted by Mr. Robert N. McCurdy, of Counsel for the Complainant and

569. John J. Allen
vs. Appellant
The United States.

The suggestion of diminution of the record and motion for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Herbert C. Smith and Mr. Charles C. Lancaster, in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

600. The Aetna Indemnity Co.,
vs. Petitioner,
City of Haverhill.,

The petition for a writ of certiorari herein, was submitted to the consideration of the Court on printed arguments by Mr. George W. Buck, Mr. Boyd B. Jones, and Mr. P. Pineston Wells, in support of the same, and leave was granted counsel for respondent to file a brief in opposition thereto on or before Friday next.

397. The Michigan Central Railroad Co.,
vs. Appellant,
Perry F. Powers, Auditor General &c.

467. Detroit & Macdinac Railway Co.,
vs. Appellant,
Perry F. Powers Auditor General &c.
(and Nos. 463 to 487 inclusive, various R.R. Cy, Tunnel & Bridge Co's. Appts, vs. Powers, Auditor General &c.)

The argument of these cases, was concluded, by Mr. Denton Hanchett, of counsel for the appellants.

Monday, February 11th, 1907. Continued.

Perry F. Powers, Auditor General &c. Appellant,
vs.
The Detroit, Grand Haven & Milwaukee Railway Co.

This cause was argued by Mr. P. C. Tarney, of counsel for the appellant, and Mr. A. Lacey and Mr. L. C. Stanley, of counsel for the appellee, and leave was granted appellant to file an additional brief within two days.

394.

George H. Felts,
vs. Appellant,
E. J. Murphy, Warden &c.

The argument of this cause was commenced by Mr. William E. Mason, of counsel for the appellant.

533.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright Esquire, Marshal.
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. J. Jenkins it is ordered that Edward M. Smart, Esquire, of Merrill, State of Wisconsin, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isidor Rayner it is ordered that C. Dodd McFarland, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Fuller it is ordered that Theodore A. Hostetter, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Gant it is ordered that Guy Tillen, Esquire, of Lake City, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

State of Washington, Complainant, vs. State of Oregon, Defendant. } No. 19, Original. } M. C. A. Fulton, appeared and waived the issuing of process and entered the appearance of the defendant herein, and on his motion, leave was granted to file the answer of the defendant and also a stipulation of counsel in regard to the taking of testimony in the case.

State of Washington, Complainant, vs. State of Oregon, Defendant. } No. 19, Original. } On consideration of the stipulation of counsel for the respective parties this day filed,

It is now here ordered by the Court that depositions may be taken by either party before an officer authorized to take depositions by the laws of the States of Washington or Oregon upon due notice to the adverse party,

no other authorization will be required.)

It is further ordered that duly authenticated copies of any records, maps or other documents may be filed by either party with the Clerk as evidence in the cause, upon furnishing to the adverse party copies thereof subject to exception to their competency as evidence.

It is further ordered that the testimony in the cause shall be closed on or before the first Monday in August 1906 unless for cause shown an extension of time shall be given.

per Mr. Chief Justice Fuller.

533. George W. Felts, Appellant, vs. E. J. Murphy, Warden &c. The argument of this cause was continued by Mr. William E. Mason, of counsel for the appellant, and Mr. H. B. North, of counsel for the appellee, and concluded by Mr. William E. Mason, of counsel for the appellant, and leave was granted, counsel to file additional briefs within two days.

404. Anna Valentina, Appellant, vs. James H. Meeuf, Sheriff &c. This cause was argued by Mr. James M. Trimble, of counsel for the appellant, and Mr. Robert H. McCaleb, of counsel for the appellee.

183. The City of Cleveland et al., Appellants, vs. The Cleveland Electric Railway Company.

The argument of this cause was commenced by Mr. Newton D. Baker, by counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, February 28th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles H. Aldrich it is ordered that N. D. Ely, Esquire, of Davenport, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert M. La Follette it is ordered that Ralph E. Smith, Esquire, of Merrill, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

607. William H. Bierer, Limited, Appellant, vs. Mr. Charles H. Aldrich, of Counsel for the appellant

dismissing the Court's motion for a writ of supersedeas in this cause.)

183. The City of Cleveland et al., vs. Appellants, The Cleveland Electric Railway Company. (The argument of this cause was continued by Mr. Newton D. Baker, of counsel for the appellants, and Mr. Andrew Squire and Mr. John H. Warrington, of counsel for the appellee, and concluded by Mr. D. C. Westenhaver, of counsel for the appellants.

185. The United States, vs. Appellant, James N. Wickersham. (This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Pradt and Mr. Felix Brannigan, of counsel for the appellant and Mr. William R. Andrews and Mr. S. D. Luckett, of counsel for the appellee.)

186. The Atlantic Coast Line Railroad Company, vs. Plff in Error, The North Carolina Corporation Commission. (The argument of this cause was commenced by Mr. John G. Johnson, of counsel for the plaintiff in error.)

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Melville Church it is ordered that J. Stuart Tompkins, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Littlefield it is ordered that Louis K. Kileski, Esquire, of Lowell, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Sioux Falls, and Frank Crane, Esquire, of Pierre, State of South Dakota, and Wallace D. Scott, Esquire, of New York City, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Allen F. Cooper it is ordered that R. P. Swank, Esquire, of Mahanoy City, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Chaney it is ordered that Edward J. Sihejkal, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Chaney it is ordered that Charles McGavin, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Winn it is ordered that Charles G. Gardner, Edwin S. Gardner, and Charles A. Beckwith, Esquires, of Springfield, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

30. Valentine Huber, Plff in Error, vs. Jennings-Heywood Oil Syndicate et al. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Barnes K. Phillips and Mr. H. Generes Dufour, of counsel for the plaintiff in error, and Mr. Gilbert L. Dupre, of counsel for the defendants in error.

150. The Atlantic Coast Line Railroad Company, Plff in Error, vs. The North Carolina Corporation Commission. — The argument of this cause was continued by Mr. F. A. Woodard and Mr. Robert D. Gilmer, of counsel for the defendant in error, and concluded by Mr. John G. Johnson, of counsel for the plaintiff in error.

157. A. Leschen & Sons Rope Co., Appellant, vs. Broderick & Bascom Rope Co. — This cause was argued by Mr. Melville Church, of counsel for the appellant. No counsel appeared for the appellee.

73. The Otis Company, Plff in Error, vs. The Ludlow Manufacturing Company et al. — The argument of this cause was commenced by Mr. Boyd B. Jones, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned

Friday, March 9th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry F. Greene it is ordered that Nathan P. Bushnell, Esquire, of Peekskill, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. K. Watson it is ordered that Harry A. Harris, Esquire, of Helena, State of Montana, and Henry C. Hendrickson, Esquire, of Indianapolis, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in the behalf of Hon. Merrill Moores it is ordered that Frank L. Littleton, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

73. The Otis Company, Plff in Error, vs. The Ludlow Manufacturing Company et al. The argument of this cause was continued by Mr. Boyd B. Jones of counsel for the plaintiff in error, and Mr. James B. Carroll and Mr. William A. Brooks, of counsel for the defendant in error, and concluded by Mr. Boyd B. Jones, of counsel for the plaintiff in error.

104. The United States, Petitioner, vs. R. F. Downing & Co. This cause was argued by Mr. Assistant Attorney General McReynolds of counsel for the petitioner, and Mr. J. Stuart Tompkins, of counsel for the respondents.

152. The Atlantic Coast Line Railroad Co., Plff in Error, vs. The State of Florida ex rel. W. H. Ellis, Attorney General, def The argument of this cause was commenced by Mr. John E. Hartridge, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned,

Monday, March 5th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. N. Hinshaw it is ordered that Norris Brown, Esquire, of Kearney, State of Nebraska, and Marion T. Stanley, Esquire, of Aurora, State of Nebraska, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank L. Campbell it is ordered that James E. West, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Kimball Webb it is ordered that Elisha S. Pearle, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor it is ordered that Constant Southworth, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

359. The United States, Appellant, vs. William A. Clark. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Montana.

Per Mr. Justice Holmes

(Mr. Justice McKenna specially concurring.)

Dissenting:

Mr. Justice Harlan and

157. Chicago, Burlington & Quincy Railway Company vs. The People of the State of Illinois ex rel. O. C. Trimwood et al., Commissioners &c. } In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is, hereby, affirmed with costs.

(Per Mr. Justice Harlan, Mr. Justice Holmes, Mr. Justice White and Mr. Justice McKenna, Specially Concurring) Dissenting: Mr. Justice Brewer.

11, Original. The State of Louisiana, Complainant, vs. The State of Mississippi. } The opinion of the Court in this cause was delivered by Mr. Chief Justice Fuller.

Order.

The Reporter having represented that, owing to the number of decisions at the present term, it would be impracticable to put the reports in one volume, It is therefore now here ordered that he publish on

681 of the Revised Statutes.

Per Mr. Chief Justice Fuller.

The State of New Jersey, Complainant; vs. The State of Delaware. Original. On consideration of the preliminary report of the master appointed herein and of the suggestions of counsel for the respective parties made in open Court, It is now here ordered by the Court that further proceedings in this cause be suspended for sixty days.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of Columbia George and Toy Toy, Petitioners. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

Rochester Railway Co., Plff in Error, vs. City of Rochester. 501. On consideration of the motion to dismiss this cause, It is now here ordered by the Court that said motion be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

Charles S. Landram et al., Executors &c., et al., Appellants,
540. vs.
Gabriella K. Jordan.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 9th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

John J. Allen, Appellant,
569. vs.
The United States.

On consideration of the suggestion of a diminution of the record and motion for a writ of certiorari herein, It is now here ordered by the Court that said motion be, and the same is, hereby, denied.

Per Mr. Chief Justice Fuller.

William H. Pierce, Limited, Appellant,
607. vs.
Clinton J. Hutchins, Trustee.

On consideration of the motion for a supersedeas in this cause, It is now here ordered by the Court that the bond heretofore given herein operate as a supersedeas and that the judgment be superseded accordingly.

Per Mr. Chief Justice Fuller.

602. Albert K. Hiscock, Trustee in bankruptcy of Jacob M. Mertens et al., Petitioners, vs. Jacob M. Mertens. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

431. Fannie D. Galbraith, Petitioner, vs. Illinois Steel Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

575 Wong Wing, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

576. Wong Ding Chong, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

577. Dang Ming, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

578. Hong Wah, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

579. Lam Loy, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

580. D. M. Brumsdall, Petitioner, v. Thomas D. Hallenbeck. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals,

thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

578. Taylor Knoll, Petitioner, vs. The United States. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

600. The Aetna Indemnity Company, Petitioner, vs. City of Haverhill. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

601. The Town of Fletcher, Petitioner, vs. Samuel L. Hackman. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari, to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

30. Valentine Hubert, Plaintiff in Error, vs. Jennings-Heywood Oil Syndicate et al. On Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

992. Catherine Schlemmer, Plff in Error, vs. The Buffalo, Rochester & Pittsburgh Railway Co. On motion of Mr. E. A. Moseley, leave is hereby granted to Mr. L. M. Waller to appear [illegible]

argument on behalf of the plaintiff in error.)

599. Ferdinand Eidman, Collector &c., Petitioner, vs. Frederick B. Pilgrim et al., Executors &c. On motion of Mr. Solicitor General, Hoyt, of counsel for the petitioner, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Tuesday, October 9th next, after the cases heretofore assigned for that day.

612. George B. Cortelyou, Post-master General, Plaintiff in Error, vs. The United States on relation of Margarito Romero, Mayor &c., et al. In Error to the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

614. Chicago, Burlington & Quincy Railway Company, Appellant, vs. F. C. Babcock, Treasurer, &c. (Mr. Norris Brown, of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.)

238. William J. Gallagher, Plff in Error, vs. The People of the State of Illinois. (Mr. Charles N. Sickle, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to continue this cause until the next term and to extend the time within which to print the record, and leave was granted counsel for the defendant in error to file a brief in opposition thereto within one week.)

613. Liverpool, Brazil & River Plate Steam Navigation Company, Limited, et al, Petitioners, vs. The Steamship Eagle Point &c. (The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George H. Emerson, Mr. Harrington Putnam, Mr. C. C. Burlingham, and Mr. A. G. Ward, in support of the same, and Mr. Wilhelmus Mynderse, in opposition thereto.)

Sidney Turner Dyer, by Elisha Dyer, Jr., her next friend, and Elisha Dyer, Jr.,
vs. Appellants,
377. The Mayor and City Council of Baltimore et al.

Appeal from the Circuit Court of the United States for the District of Maryland.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, at the costs of the appellees.

(Per Mr. Chief Justice Fuller.)

Antonio Jose Amades, for the use of and together with The Pastor Marquez Company, in liquidation,
vs. Plffs in Error,
169. The Northern Assurance Co.)

Mr. Frederic D. McKenney, of counsel for the defendants in error, filed a suggestion of the death of Antonio Jose Amades, one of the plaintiffs in error in these cases.

Antonio Jose Amades, for the use of and together with The Pastor Marquez Company, in liquidation,
vs. Plffs in Error,
200. The Royal Insurance Company.

The Atlantic Coast Line Railroad Company,
Pltff in Error,
vs.
152. The State of Florida ex rel. H. A. Ellis, Attorney General, et al.

Seaboard Air Line Railway,
Pltff in Error,
vs.
155. The State of Florida ex rel. H. A. Ellis, Attorney General, et al.

Seaboard Air Line Railway,
Pltff in Error,
vs.
156. The State of Florida ex rel. H. A. Ellis, Attorney General, et al.

The argument of these cases was continued, by Mr. H. A. Herbert, of counsel for the plaintiff in error in Nos. 155 and 156, and Mr. J. M. Barnes, of counsel for the defendants in error, and concluded by Mr. George P. Raney, of counsel for the plaintiff in error in Nos. 155 and 156, and leave was granted counsel for plaintiff in error in Nos. 155 and 156 to file an additional brief, within three days.

Proclamation being made the Court is adjourned, until tomorrow at twelve o'clock

Tuesday, March 6th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened;

On motion first made to the Court in this behalf by Mr. A. L. Jones it is ordered that Roy S. Goodrich, Esquire, of Phoenix, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William G. Johnson it is ordered that Ford W. Thompson, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank P. Flint it is ordered that Paul E. Cesher,

mitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Blankenship it is ordered that C. H. R. Ewing, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

191. Henry F. Hyman et al, Appts, vs. Sumner Wallace et al.
192. Peter Frenger et al, Appts, vs. Sumner Wallace et al,
193. Edgar M. Morsman, Appt, vs. Sumner Wallace et al,
194. William S. Appleton, Appt, vs. Sumner Wallace et al,
195. J. H. McClellan, Executor, et al, Appts, vs. Sumner Wallace et al

These cases were argued by Mr. R. S. Horton, of counsel for the appellant in No. 194, and the cases were submitted to the consideration of the Court on the record and printed arguments by Mr. W. W. Morsman, of counsel for the appellants in Nos. 191, 192 and 193, Mr. R. S. Horton, of counsel for the appellants in No. 195, and Mr. J. M. Woolworth, of counsel for the appellees.

196. J. J. Darlington et al, Executors &c., Appellants, vs. Earle N. Turner et al,

The argument of this cause was commenced by Mr. Clarence A. Wilson, of counsel for the appellants, and continued, by Mr. William G. Johnson, of counsel for the appellees.

Proclamation being made the Court is adjourned,

Wednesday, March 7th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

282. International Trust Co., Plff in Error, vs. John H. Woods, Agent &c. It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

No. 16. J. J. Darlington et al., Executors &c., Appellants, vs. File N. Turner et al. The argument of this cause was continued by Mr. William G. Johnson, of counsel for the appellees, and concluded by Mr. Nathaniel Wilson, of counsel for the appellants.

147. St. Louis Dressed Beef and Provision Company vs. Maryland Casualty Co.

This cause was argued by Mr. Ford H. Thompson, of Counsel for the Beef and Provision Company, and Mr. George Reems Williams and Mr. Frank Gorsuch, of Counsel for the Casualty Company.

188. Ellis Keen vs. Sophronia K. Keen

The argument of this cause was commenced by Mr. D. P. Dyer, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, March 5th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

158 & 167. Southern Pacific Co., et al., Appellants, vs. The Interstate Commerce Commission. On motion of Mr. Maxwell Evarts, of counsel for the appellants, leave is hereby granted the Clerk to issue the mandate in these cases.

188. Ellis Keen, Plff in Error, vs. Sophronia K. Keen. The argument of this cause was concluded by Mr. D. P. Dyer, of counsel for the plaintiff in error, and the cause was submitted on a printed argument by Mr. Charles W. Bates, of counsel for the defendant in error.

198. The Houston & Texas Central Railroad Co. et al. vs. Appts in Error, J. A. Mayes.

This cause was argued by Mr. Maxwell Evarts, of Counsel for the plaintiffs in error, and submitted on a printed argument by Mr. D. H. Gregory, of Counsel for the defendant in error.

199. Antonio Jose Amades for the use &c., vs. Appts in Error, The Northern Assurance Co.

200. Antonio Jose Amades, for the use &c., vs. Appts in Error, The Royal Insurance Co.

201. Federico Amades, for the use &c., vs. Appts in Error, The Royal Insurance Co.

These cases were argued by Mr. Fritz von Briesen, of Counsel for the plaintiffs in error, and Mr. Frederic D. McKenney, of Counsel for the defendants in error.

202. Louis Kann et al., vs. Appellants, Caroline King,

203. Henry Randall Webb, Executor &c., vs. Appellant, Caroline King.

The argument of these cases was commenced by Mr. R. Rose Perry, of Counsel, for the appellant in No. 203, and continued by Mr. J. J. Darlington, of Counsel for the appellees.

Proclamation being made the Court is adjourned, until tomorrow at twelve o'clock.

Friday, March 9th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

568 Sibrand N. Niewenhaus, Plff in Error, v. The New York & Harlem Railroad Company and The New York Central & Hudson River Railroad Company. In Error to the Supreme Court of the State of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

568. Siebrand H. Nieuwenhous, vs. Plff in Error, The New York & Harlem Railroad Co. et al

It is ordered by the Court that leave be, and the same is hereby, granted the Court to issue the mandate in this cause.

211. Henrietta S. Christopher et al., vs. Plffs in Error, Joseph W. Norvell, Receiver &c

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Buckman, of counsel for the plaintiffs in error, and Mr. Duncan Upshaw Fletcher, of counsel for the defendant in error.

202. Louis Kann et al., vs. Appellants Caroline King.

203. Henry Randolph Hobb, Executor &c, vs. Appellant, Caroline King.

The argument of these cases was continued by Mr. J. J. Darlington, of counsel for the appellee, and concluded by Mr. William G. Johnson, of counsel for the appellants in No. 202.

204. Wilford P. Joy vs. Plff in Error, The City of St. Louis et al.

This cause was argued by Mr. E. P. Johnson, of counsel for the plaintiff in error, and Mr. Charles Claflin Allen, of counsel for the defendants in error.

Friday, March 9th, 1906, Continued.

206. Luther A. Soper, vs. Alfin Fire Lawrence Brothers Co.

The argument of this cause was commenced by Mr. William Frye White, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, March 12th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hannis L. Campbell it is ordered that George H. Brown, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that J. Clarke Swayze, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

N. Myers, Esquire, of Augusta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

331. Henry A. Blair et al., Receivers &c., et al., Appellants, vs. The City of Chicago et al.

332. The North Chicago City Railway Company, Appellant, vs. Henry A. Blair et al, Receivers &c, et al.

333. City of Chicago, Appellant, vs. John C. Fetzer et al, Receivers &c, et al.

Appeals from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, on separate appeals, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, one-half of the costs in this Court to be paid by the Receivers and one-half by The City of Chicago; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Day.

Henry A. Blair et al, Receivers &c., et al, Appellants,

334. v.

The City of Chicago et al.

The Chicago West Division Railway Company, Appellant,

335. v.

Henry A. Blair et al, Receivers &c., et al

City of Chicago, Appellant,

336. v.

John C. Fetzer et al, Receivers &c., et al.

Appeals from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, one-half of the costs in this Court to be paid by the Receivers and one-half by The City of Chicago; And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Day.

Dissenting:
Mr. Justice McKenna,
Mr. Justice Brewer and

73. The Otis Company, Plff in Error, vs. The Ludlow Manufacturing Company and The Ludlow Cordage Company. In Error to the Superior Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Superior Court in this cause be, and the same is hereby, modified so as to dismiss the bill without prejudice unless proceedings under said bill are suspended pending the determination of the plaintiff's right to damages, and, as so modified, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

381. Lewis M. Alexander, Appt, vs. The United States,
382. George N. Whiting, Appt, vs. The United States,
383. William Z. Stuart, Appt, vs. The United States,
384. General Paper Company, Appt, vs. The United States.

Appeals from the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States,

and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that these appeals be, and the same are hereby, dismissed for the want of jurisdiction.

(per Mr. Justice McKenna.)

385. C. D. Harmon, Ind. Gen'l, Paper Company, Appellant, vs. The United States. Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

(per Mr. Justice McKenna.)

490. Benjamin F. Nelson, Pl'ff in Error, vs. The United States.
491. Anselm C. Bassard, Pl'ff in Error, vs. The United States.
492. Clarence J. McNair, Pl'ff in Error, vs. The United States.

In Error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, on separate

sideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice McKenna.

533. George H. Felts, Appellant, v. E. J. Murphy, Warden of the Illinois State Penitentiary at Joliet. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

404. Anna Valentina, Appellant, v. James H. Mercer, Sheriff of Bergen County, New Jersey. Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the

the same is hereby affirmed with costs.
(Mr. Justice Brewer)

Edwin T. Hale,
vs. Appellant
William Henkel, United States Marshal in and for the Southern District of New York.

Appeal from the Circuit Court of the United States for the Southern District of New York.

316

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

(Mr. Justice Brewer)

Dissenting:
Mr. Justice Brewer and Mr. Chief Justice Fuller.
(Mr. Justice Harlan specially concurring.)
(Mr. Justice McKenna specially concurring.)

William N. McAlister,
vs. Appellant,
William Henkel, United States Marshal in and for the Southern District of New York.

Appeal from the Circuit Court of the United States for the Southern District of New York.

321

This cause came on to be heard on the transcript

States for the Southern District of New York, and was argued by Counsel. On consideration whereof, It is, now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brown.)

The Commonwealth of Kentucky, Appellant, v. Caleb Powers. Appeal from the Circuit Court of the United States for the Eastern District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court awarding the writ of habeas corpus cum causa in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the order appealed from as well as the order docketing the case in said Circuit Court, to remand the prosecution to the State Court, and surrender the custody of the accused to the State authorities.

(Per Mr. Justice Harlan.)

Ex parte In the matter of The Commonwealth of Kentucky. On consideration of the petition for a writ

of the Return to the rule to show cause, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said rule to show cause be made absolute and that the prayer of said petition be, and the same, is hereby, granted.

(Per Mr. Justice Harlan.)

The Chief Justice announced that the Court would take a recess from Monday the 19th instant to Monday, April 2d next.

613. Liverpool, Brazil & River Plate Steam Navigation Company, Limited, Owners of the British Steamship "Bild", et al., Petitioners, vs. The Steamship "Eagle Point", The Norfolk & North American Steam Shipping Co., Limited, Claimant.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On Consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals, for the Third Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

611. Chicago, Burlington & Quincy Railway Company, Appellant, vs. P. C. Babcock, Treasurer, et al. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 9th, next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

182. The Territory of New Mexico, Appellant, vs. The Atchison, Topeka & Santa Fe Railway Company et al. Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

617. Grand Trunk Western Railway Co., et al., Petitioners. vs. Chicago & Eastern Illinois Railroad Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. G. H.

of the same, and leave was granted Counsel for the respondent to file a brief in opposition thereto within ten days.

The People of the State of New York ex rel. The New York Central & Hudson River Railroad Co., Plff in Error,
v.
Nathan L. Miller, Comptroller &c.

8/882.

The People of the State of New York ex rel. The New York Central & Hudson River Railroad Co., Plff in Error,
v.
Otto Kelsey, Comptroller &c.

586, 587 & 588.

On motion of Mr. A. B. Browne in behalf of counsel, It is ordered by the Court that these cases be, and the same are hereby, assigned for argument on Monday, April 5th next, after the cases heretofore assigned for that day.

Edwin S. Hartwell Lumber Co., now known as Norman H. Hetteler Lumber Co., Petitioner,
v.
The United States.

610.

John Spry Lumber Co., Petitioner
v.
The United States.

611.

The petitions for writs of certiorari herein were submitted to the consideration of the Court by Mr. Jacob Newman, Mr. S. O. Levinson and Mr. Benjamin V. Becker, in support of the same, and leave was granted Counsel for respondent to file a brief in opposition thereto within three days.

274. The City of Monterey, Plff in Error, vs. David Jacks. The motions to dismiss or affirm in this cause, were submitted to the consideration of the Court on the record and printed arguments by Mr. Frederic D. McKenney and Mr. John Garber, in support of the same, and Mr. Hamilton Gay Howard, in opposition thereto.

614. National Salt Company, Petitioner, vs. George S. Ingraham. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments, by Mr. Maxwell Evarts and Mr. Henry B. Twombly, in support of the same, and Mr. George S. Ingraham, in opposition thereto.

213. Harriet P. James, Admx &c., Appellant, vs. The United States. On motion of Mr. Assistant Attorney General Van Orsdel, of counsel for the appellee,

It is ordered by the Court that this cause be, and the same is hereby, passed and assigned for argument on Monday, April 2d next after No. 544.

206. Luther N. Soper, Plff in Error, vs. Lawrence Brothers Co. The argument of this cause was continued, by Mr. William Fine White, of counsel for

Monday, March 9th, 1908, Continued.

Baker, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March 13th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. S. Boutell it is ordered that Norman P. Willard, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that Charles A. Morgan, Esquire, of Altoona, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr.

of Tombstone, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

206. Luther N. Soper, vs. Affin Error, Lawrence Brothers Co. The argument of this cause was continued, by Mr. Orville Dewey Baker, of counsel for the defendant in error, and concluded by Mr. William Frye White, of counsel for the plaintiff in error.

207. Robert Devine, et al. vs. Appellants, The City of Los Angeles. This cause was argued, by Mr. Cyrus D. McNutt, of counsel for the appellants, and Mr. H. B. Matthews and Mr. J. R. Scott, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, March 14th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White, Associate
Rufus W. Peckham, Justices.
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. N. H. Gilfry it is ordered that Jacob B. Ofner, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles S. Hamlin it is ordered that James H. Vahey, Esquire, of Watertown, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr.

Dickson and John Dickey Jr, Esquires, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. A.O. Young it is ordered that John H. Shine, Esquire, of Sault Ste Marie, State of Michigan, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that William Gordon Robertson, Esquire, of Roanoke, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George N. White it is ordered that Judson W. Lyons, Esquire, of Augusta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Harvey M. Friend it is ordered that John B. Thompson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward D. Fenwick it is ordered that Arthur C. Wallace, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James N. Gillett it is ordered that Thomas Graham Crothers, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Culberson it is ordered that H. G. Dickinson, Esquire, of Laredo, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

208. York Manufacturing Co., Appellant, vs. Arthur Cassell et al.,

This cause was argued by Mr. Constant Southworth, of counsel, for the appellant. No counsel appeared for the appellees.

209. Maria Eustaquia Ortiz de Rodriguez, by her husband, Appellant, vs. Jose Antonio Vivoni et al.,

This cause was argued by Mr. Fritz von Briesen, of counsel for the appellant, and submitted on a printed argument by Mr. N. B. K. Pettingill, of counsel for the appellees, and

additional brief on or before Saturday next.

210. Frederick St. John, Plff in Error, vs. The People of the State of New York.

This cause was argued by Mr. William Brennan, Jr., of counsel for the plaintiff in error, and Mr. Horace Maguire, of counsel for the defendants in error.

212. The Territory of New Mexico ex rel. E. J. McLean & Co., Appellants, vs. The Denver & Rio Grande Railroad Company.

The argument of this cause was commenced by Mr. H. B. Hilders, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, March 15th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices.

John M. Wright, Esquire, Marshal.,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. John G. Carlisle it is ordered that Arthur L. Shipman, Esquire, of Hartford, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. E. Olmsted it is ordered that Thomas J. Davies, Esquire, of Montrose, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr.

Henry, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

224. Simon Burns, Henry A. Hicks, Thomas H. Canning et al., Appellants, vs. John W. Hayes, Isaac D. Chamberlin, Isaac N. Sanderson et al. Appeal from the Court of Appeals of the District of Columbia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice [illegible]

212. The Territory of New Mexico, to use of D. McLean & Co., Appellants, vs. The Denver & Rio Grande Railroad Company. The argument of this cause was continued by Mr. W. B. Childers, of counsel for the appellants, and Mr. Charles A. Spiess and Mr. A. C. Campbell, of counsel for the appellee, and concluded by Mr. W. B. Childers, of counsel for the appellants.

Thursday, March 15th, 1906, Continued;

213. First National Bank of Baltimore, Petitioners, vs. William A. Stark, Trustee, et al. Henry K. McHarg and A. A. Phelgar, Receivers, et al, vs. Petitioners,

214. William A. Stark, Trustee, et al. Respondents.

The argument of these cases was commenced by Mr. S. Hamilton Graves, of Counsel for the Petitioners, and continued by Mr. Arthur G. Dickey, of Counsel for the

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, March 16th, 1906.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer
Henry B. Brown
Edward D. White, Associate
Rufus W. Peckham, Justices
Joseph McKenna,
Oliver Wendell Holmes
William R. Day,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. M. A. Smith it is ordered that P. G. Norris, Esquire, of Prescott, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. A. Moseley it is ordered that O. M. Brockett, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

213. First National Bank of Baltimore, Petitioners, vs. William A. Staake, Trustee, et al. Henry K. McHarg and A. A. Phelps, Receivers &c. et al vs. Petitioners. William A. Staake, Trustee, et al.

The argument of these cases was continued by Mr. Arthur G. Dickson, of counsel for the respondents, Mr. Wm. Gordon Robertson, of counsel for the petitioners, and Mr. John Dickey Jr., and Mr. S. Griffin, of counsel for the respondents, and concluded by Mr. Holmes Conrad, of counsel for the petitioners.

218. The Peoples National Bank of Charlottesville, Va., et al., Appellants, vs. James A. Saville et al.

This cause was argued by Mr. D. W. Baker, of counsel for the appellants, and Mr. John Ridout and Mr. Fulton Lewis, of counsel for the appellees.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. D. W. Baker, in support of the same, and Mr. Fulton Lewis, in opposition thereto.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, March 19th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Milton D. Purdy it is ordered that John K. Maxwell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry M. Goldfogle it is ordered that Charles L. Cohn, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Vale it is ordered that Herbert Wright, Es-

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mason N. Richardson it is ordered that Charles S. Shreve, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Quinn it is ordered that Richard Walden Hale, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. W. Scott it is ordered that Marion T. Hinkscales and Joseph N. Stewart, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. N. Clifford it is ordered that Richard Lee Edwards, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

St. Louis Dressed Beef and Provision Company, Appellant, vs. Maryland Casualty Company. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

187.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first, second, fourth, and fifth questions certified must be answered in the affirmative, the third in the negative, and the sixth in the affirmative, so far as the question is warranted by the facts set forth. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Holmes.

A. Leschen & Sons Rope Company, Appellant, vs. Broderick & Bascom Rope Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

187.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this

and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Missouri.

Per Mr. Justice Brown.

Ex parte In the matter of National Enameling & Stamping Company and Lalance & Grosjean Manufacturing Company, Petitioners. On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of Counsel thereupon had,

17, Original.

It is now here ordered by the Court that said rule be discharged and that said petition be, and the same is hereby, denied.

Per Mr. Justice Brewer.

Ex parte In the matter of Automatic Switch Company of Baltimore City, Petitioner. On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had,

18, Original.

It is now here ordered by the Court that said rule be discharged and that said petition be, and the same is hereby, denied.

Per Mr. Justice Brewer.

The Chief Justice announced that the docket of original actions would be called on Monday, April 9th next.

238. William J. Gallagher, Plff in Error, vs. The People of the State of Illinois.

On consideration of the motion to continue this cause until the next term and that the time within which to print the record, in this cause be extended to that time, It is now here ordered by the Court that the time to print the record herein be extended to the 9th day of October next, and the case assigned for argument on that day after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

274. The City of Monterey, Plff in Error, vs. David Jacks.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm, in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

610. Edwin S. Hartwell Lumber Company, now known as Herman N. Hettler Lumber Company, Petitioner, vs. The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the arguments of counsel thereupon had, as well in support of as against the

petition be, and the same is hereby, denied.
Per Mr. Chief Justice Fuller.

611. John Spry Lumber Company, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.
Per Mr. Chief Justice Fuller.

619. National Salt Company, Petitioner, vs. George S. Ingraham. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.
Per Mr. Chief Justice Fuller.

218. The Peoples National Bank of Charlottesville, Virginia, et al, vs. James N. Saville, Hugh T. Taggart et al. Appellants, Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

218 The Peoples National Bank of Charlottesville, Virginia, et al, vs. James N. Saville, Hugh T. Taggart et al. Petitioners, On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

609. Pearl C. Fisher et al., on behalf of Felix Barcelon, vs. Appellees in Error, Col. David J. Baker et al.) Mr. F. R. Coudert of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.)

616. The United States, vs. Petitioner, Ninety-nine Diamonds. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Assistant to the Attorney General Purdy, Mr. Solicitor General Hoyt, and Mr. Assistant Attorney General McReynolds, in support of the same, and Mr. W. Wickham Smith and Mr. John K. Maxwell, in opposition thereto.

625. Walter N. Horn, vs. Appellees in Error, Richard Riggs, James E. Bowen, R. D. Lodge and J. W. McCutcheon.) Mr. C. A. Culberson, of counsel for the defendants in error, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States,
For the Western District of Texas.

I, D. N. Hart, Clerk of the Circuit Court of the United States for the Western District of Texas, do hereby certify that in a certain cause pending in said Court, wherein Walter N. Horn was plaintiff, and Richard

were defendants, a final judgment was rendered by said Court on the 8th day of October, A.D. 1904, in favor of the said defendants, and against the said plaintiff, and that on the third day of April, A.D. 1905, said Plaintiff sued out a writ of error to said Circuit Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Circuit Court, at El Paso, Texas, this day of March, A.D. 1906.

(Seal) D. H. Hart, Clerk"

moved the Court to docket and dismiss this cause, pursuant to the 9th rule; and it appearing to the Court that the plaintiff in error has failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Western District of Texas be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

624. Charles Henry Davis, Trustee, Petitioner, vs. George H. Bramblett. The petition for a writ of certiorari, herein, was sub-

sideration of the Court on printed arguments by Mr. D. W. Lindsey, Mr. Frank Quinn, and Mr. Richard Walden Hale, in support of the same, and Mr. Helm Bruce, in opposition thereto.

East Central Eureka Mining Company et al., Plffs in Error,
1147. vs.
Central Eureka Mining Company.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Curtis N. Lindley and Mr. Henry Eickhoff, in support of the same, and Mr. Philip T. Galpin, in opposition thereto.

Ex parte In the matter of James Lincoln, Petitioner.

Mr. John L. Kennedy, in behalf of Counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein.

Ed Johnson, Appellant,
634. vs.
The State of Tennessee.

On motion of Mr. E. M. Newlett, of counsel for the appellant, It is ordered by the Court that an appeal from the Circuit Court of the United States for the Eastern District of Tennessee be, and the same is hereby allowed, and that all proceedings against the appellant be stayed, and the custody of the said ap-

618. William Nixon et al., Petitioners, vs. James H. Harris, Warden &c. The petition for a writ of Certiorari herein was submitted to the consideration of the Court by Mr. Armond H. Scott and Mr. Marion P. Clinkscales, in support of the same.

314. Charles K. Offield, Plff in Error, vs. The New York, New Haven & Hartford Railroad Co. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. George D. Watrous and Mr. Edward G. Buckland, in support of the same, and Mr. Edward N. Rogers and Mr. H. H. K. Miller, in opposition thereto.

Proclamation being made the Court is adjourned until Monday, April 2d next at twelve o'clock.

Monday, April 2d, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Louis Bancroft Runk, Esquire, of Philadelphia, State of Pennsylvania, and Charles E. Marks, Esquire, of Salt Lake City, State of Utah, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton D. Purdy it is ordered that Hugh McAden, Benjamin L. M. Power, and Edmund K. Talbot, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court

On motion first made to the Court in this behalf by Mr. J. C. McReynolds it is ordered that Clarence D. Boyd, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. A. J. Hopkins it is ordered that William H. Stead, Esquire, of Springfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. B. P. Waggener it is ordered that William P. Waggener, Esquire, of Atchison, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. F. H. Lehmann it is ordered that William Knox Haynes, Esquire, of Chicago, State of Illinois, and H. E. Hackney, Esquire, of Winfield, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Hirst it is ordered that H. E. Thomas, Esquire, of Valdosta, and Henry Hewson Alexander and Benjamin F. Phillips, Esquire, of Atlanta,

and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Newlett it is ordered that J. Thomas Heard, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. R. Webster it is ordered that Frederick Shepherd, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward A. Moseley, it is ordered that James P. Connolly and John Louis Sullivan, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

331. Henry A. Blair et al, Receivers, et al. Appts, vs. The City of Chicago et al.
332. The North Chicago City Ry Co., Appt, vs. Henry A. Blair et al, Receivers, et al;
333. City of Chicago, Appt, vs. John C. Fetzer et al. Receivers, et al;
334. Henry A. Blair et al. Receivers, et al., Appts, vs. The City of Chicago et al.
335. The Chicago West Division Ry Co. Appt, vs. Henry A. Blair et al, Receivers.
336. City of Chicago, Appt, vs. John C. Fetzer et al. Receivers, et al.

The opinion of the Court by Mr. Justice Day and dissenting opinion by Mr. Justice McKenna in these

197. H. J. McLahan Sugar Refining Company, Petitioners, v. The Steamship "Hilderoft", James Cassap, Master and Claimant. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania.

(Per Mr. Justice Day.)

(Mr. Justice Brown concurs in the result.)

185. The United States, Appellant, v. James A. Hickenbottom, Jr. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause

206. Luther A. Soper, Aff'in Error, v. Laurence Brothers Company, In Error to the Supreme Judicial Court of the State of Maine.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Maine, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

207. Maria Eustaquia Ortiz de Rodriguez, by her husband Juan Bautista Rodriguez, Appellant, v. Jose Antonio Vivoni, Concepcion Ramirez, Angela Ramirez, et al. Appeal from the District Court of the United States for the District of Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

1014. The United States, Petitioner, vs. R. F. Downing & Co. | Writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals and the judgment of the Circuit Court of the United States for the Southern District of New York in this cause be, and the same are hereby, reversed; and that this cause be, and the same is, hereby, remanded to the said Circuit Court with directions to sustain the decision of the Board of General Appraisers.

Per Mr. Justice McKenna.

1014. Milford P. Joy, Plff in Error, vs. The City of St. Louis and Hafner-Lothman Manufacturing Company. | In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and

108. York Manufacturing Company, Appellant, vs. Arthur Cassell et al., Orin Copple-ton, Trustee, J. B. Waight, and Ben Ames. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed, with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Ohio with directions to enter a decree in conformity with the opinion of this Court.

Per Mr. Justice Peckham.

102. Agueda Benedicto de La Rama, Appellant, vs. Esteban de La Rama. Appeal from the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby,

same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

(Per Mr. Justice Brown.)

Dissenting on the question of jurisdiction:
Mr. Justice White,
Mr. Justice Peckham,
Mr. Justice Holmes and
Mr. Justice Gray.

The Houston & Texas Central Railroad Company, John Orr and Nelson Davis
vs.
J. N. Mayes.

In Error to the Court of Civil Appeals in and for the Third Supreme Judicial District of the State of Texas.

178.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals in and for the Third Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Civil Appeals for further proceedings.

(Per Mr. Justice Brown.)

Dissenting: Mr. Chief Justice Fuller, Mr. Justice Harlan and Mr. Justice McKenna.

188. Ellis Keen, Plaintiff in Error, vs. Sophronia K. Keen. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brown.

191. Henry P. Hyman and Morris Levy, Appellants, vs. Sumner Wallace and The Union National Bank of Omaha, Neb. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr. Justice Brewer.

177.	Peter Frenzer, Howard B. Smith and George L. Wallace, Appellants, vs. Sumner Wallace and The Union National Bank of Omaha, Neb.	Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs: and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr Justice Brewer

173	Edgar M. Morsman, Appellant, vs. Sumner Wallace and The Union National Bank of Omaha, Neb.	Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be and the same is hereby affirmed with costs; and that

Circuit Court of the United States for the District of Nebraska.

Per Mr. Justice Brewer.

No. 141. William S. Poppleton, Appellant, vs. Sumner Wallace and The Union National Bank of Omaha, Neb. } Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit and was argued by counsel; On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed, with costs; and that this cause be, and the same, is hereby, remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr. Justice Brewer.

No. 175. George H. McClellan, as Executor of the last will and testament of Robert H. McClellan, deceased, et al., Appellants, vs. Sumner Wallace and The Union National Bank of Omaha, Neb. } Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr. Justice Brandeis.

The Michigan Central Railroad Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. 397. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brandeis.

Detroit & Mackinac Railway Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. 462. Appeal from the Circuit Court of the United States for the Western District of Michigan.

record from the Circuit Court of the United States for the Western District of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brewer.)

463. Chicago & Northwestern Railway Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brewer.)

464. Toledo, Saginaw & Muskegon Railway Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the

the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

465. St. Clair Tunnel Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

466. Michigan Air Line Railway Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel.

and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Brewer.

467. Grand Trunk Western Railway Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

468. Ann Arbor Railroad Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Cir-

affirmed with costs.

(Per Mr. Justice Brewer.)

1469. Cincinnati, Saginaw & Mackinaw Railroad Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brewer.)

1470. Chicago, Detroit & Canada Grand Trunk Junction Railroad Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby,

1171. Munising Railway Company, Appellant, v. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brewer.)

479. Lake Superior & Ishpeming Railway Company, Appellant, v. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brewer.)

Marquette & Southeastern Railway Company,
vs. Appellant,
1173. Perry F. Powers, Auditor General of the State of Michigan.

Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

Chicago, Milwaukee & St. Paul Railway Company
vs. Appellant,
1174. Perry F. Powers, Auditor General of the State of Michigan.

Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

1475. Sault Ste. Marie Bridge Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

1476. Mineral Range Railroad Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

1177. Duluth, South Shore & Atlantic Railway Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. } Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

1178. Detroit, Grand Haven & Milwaukee Railway Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. } Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

Monday, April 2d, 1906. Continued.

1179 Pontiac, Oxford & Northern Railroad Company, Appellant; vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

480 Minneapolis, St. Paul & Sault Ste. Marie Railway Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

1181. Copper Range Railroad Company, Appellant, v. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer

1182. Gogebic & Montreal River Railroad Company, Appellant, v. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer

Manistee & Northeastern Railroad Company, Appellant,
1183. vs. Appeal from the Circuit Court of the United States for the Western District of Michigan.
Perry F. Powers, Auditor General of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

Escanaba & Lake Superior Railroad Company, Appellant,
1184 vs. Appeal from the Circuit Court of the United States for the Western District of Michigan.
Perry F. Powers, Auditor General of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

485. Grand Rapids & Indiana Railway Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

486. Wisconsin & Michigan Railway Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

487. Lake Shore & Michigan Southern Railway Company, Appellant, vs. Perry F. Powers, Auditor General of the State of Michigan. } Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

12, Original. The State of Wisconsin, Complainant, vs. Ethan Allen Hitchcock, Secretary of the Interior. } In Equity.

This cause came on to be heard on the bill of complaint and amendments thereto, and the demurrer of the defendant, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the said bill of complaint be, and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan.

211. Henrietta S. Christopher and John G. Christopher, Plffs in Error, vs. Joseph N. Norvell, Receiver of The First National Bank of Florida. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause, be and the same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Southern District of Florida.

Per Mr. Justice Harlan.

Mr. Justice White and Mr. Justice McKenna concur in the result.

199. Antonio Jose Amadeo for the use of and together with The Astor Marquez Company, in liquidation, Plff in Error, vs. The Northern Assurance Company. In Error to the District Court of the United States for the District of Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Porto Rico, and was argued by Counsel. On consideration whereof, It is now here

judgment of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with law.

Per Mr. Chief Justice Fuller.

(Mr. Justice White did not hear the argument and took no part in the decision of this case.)

200. Antonio Jose Amades for the use of and together with The Pastor Marquez Company, in liquidation, Plff in Error, v. The Royal Insurance Company. In Error to the District Court of the United States for the District of Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Porto Rico, and was argued by Counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with law.

Per Mr. Chief Justice Fuller.

(Mr. Justice White did not hear the argument and took no part in the decision of this case.)

No. 201. Telesforo Amades for the use of &c. and jointly with The Pilot Marquez Company in liquidation, Plff in Error, vs. The Royal Insurance Company. In Error to the District Court of the United States for the District of Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said District Court for further proceedings in conformity with law.

Per Mr. Chief Justice Fuller.

(Mr. Justice White did not hear the argument and took no part in the decision of this case.)

No. 97. Frank Cole Brown, Plff in Error, vs. Charles Duncan Gurney. In Error to the Supreme Court of the State of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

98. Josiah Appleton Small, Plff in Error, vs. Frank Cole Brown. } In Error to the Supreme Court of the State of Colorado.

99. Frank Cole Brown, Plff in Error, vs. Josiah Appleton Small. }

This cause coming on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, on writ of error and cross writ of error, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed, each party to pay one-half of the costs in this Court.

Per Mr. Chief Justice Fuller.

Ex parte. In the matter of James Lincoln, Petitioner. } On consideration of the motion for leave to file a petition for a writ of habeas corpus herein,

91, Original.

It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Ex parte. In the matter of James Lincoln, Petitioner. } On consideration of the petition of James Lincoln, It is now here ordered by this Court that cause be shown by George Stryker, Jailor

91, Original.

before this Court, at the City of Washington, on Monday, the 9th day of April, 1906, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice Fuller.

311. Charles K. Offield, Appellant, vs. The New York, New Haven & Hartford Railroad Company. Appeal from &c. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

447. First Central Eureka Mining Company et al., Appellants, vs. Central Eureka Mining Co. Appeal from &c. It is ordered by the Court that the further consideration of the motion to dismiss, in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

611. Fred'k Fisher and Charles C. Cohn on behalf of Felix Barcelon, Appellants, vs. Colonel David J. Baker et al. No consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted,

October 9th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

616. The United States vs. Ninety-Nine Diamonds. Petitioner, On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

617. Grand Trunk Western Railway Company et al., Petitioners, vs. Chicago & Eastern Illinois Railroad Company. On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Charles Henry Davis, Trustee, Petitioner,
vs.
George W. Bramblett,

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

611.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

William Nixon and Herbert Peters, Petitioners.
vs.
James A. Harris, Warden of the Jail.

On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

628.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Nitchecock County, Nebraska, Petitioner,
vs.
James B. Hill,

The petition for a writ of certiorari, herein was sub-

605

consideration of the Court on printed arguments by Mr. E. K. Duffie in support of the same, and Mr. Jesse B. Strode, in opposition thereto.

654. Joseph A. Savage, Petitioner, vs. M. Adah Savage. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Holmes Conrad, in support of the same, and Mr. R. T. Barton, in opposition thereto.

646. C. C. Slaughter, Petitioner, vs. The Mallet Land & Cattle Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. A. Culberson, in support of the same, and Mr. S. H. Cowan, in opposition thereto.

315. Granville Stuart, Plff in Error, vs. Samuel P. Hauser et al. Mr. George B. Colby, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to print the record herein without the exhibits mentioned therein but not returned therewith, or to extend the time for filing a specification of errors and designation of the parts of the record to be printed.

The State of Washington, Complainant,
vs.
The State of Oregon.
No. 11, Original.

On motion of Mr. S. H. Files, in behalf of counsel for complainant, leave, is hereby granted to file the replication of the complainant herein.

The Ninth National Bank of New York, Petitioner,
vs.
Marcus A. Adler.
661.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Nelson S. Spencer, in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto on or before the 13th instant.

The New Amsterdam Casualty Company, Petitioner,
vs.
The East Tennessee Telephone Company et al.
644.

The petition for a writ of certiorari herein, was submitted to the consideration of the Court on printed arguments by Mr. J. C. McReynolds and Mr. Clarence T. Boyd, in support of the same, and Mr. H. L. Grimberg and Mr. J. J. Vertrees, in opposition thereto.

The State of Georgia, Complainant,
vs.
The Tennessee Copper Co. et al.
No. 13, Original.

On motion of Mr. John C. Kent, of counsel for the complainant, It is, ordered by the Court that this cause be, and the same is hereby, assigned for argu-

655. N. K. River Coal Co., Petitioner vs. Cheronea Steamship Co., Limited,
656. N. K. River Coal Co., Petitioner, vs. Ursula Bright Steamship Co., Limited,
657. N. K. River Coal Co., Petitioner, vs. New Ruperra Steamship Co., Limited,
658. N. K. River Coal Co., Petitioner vs. Sir Alfred Lewis Jones.)

The petition for writs of certiorari herein was submitted to the consideration of the Court by Mr. B. L. M. Towen, Mr. John W. Griggs, and Mr. Hugh H. Ogden, in support of the same, and leave was granted counsel for the respondents to file brief in opposition thereto on or before Friday next.

371. Alabama & Vicksburg Railway Company et al., Plffs in Error, vs. The Railroad Commission of the State of Mississippi.)

Mr. Hannis Taylor, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

630. Harry Dodd, Trustee &c., Petitioner, vs. A. Samel and S. Saul.)

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Benjamin J. Phillips and Mr. Alex. C. King, in support of the same, and Mr. Victor Smith, in opposition thereto.

666. General Fire Extinguisher Co., Petitioner vs. Joseph R. Lamar, Trustee, et al.

The petition for a writ of certiorari herein was submitted to the con-

on printed arguments by Mr. H. A. Alexander, in support of the same, and Mr. H. K. Miller, in opposition thereto.

667. A. Klipstein & Company, Petitioner, vs. Peter G. Grant, Trustee, et al. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. H. A. Alexander, in support of the same, and Mr. Benjamin F. Phillips, in opposition thereto.

288. The Covington & Cincinnati Bridge Company, Plff in Error, vs. S. W. Hager, Auditor, &c. — It is ordered by the Court that this cause be, and the same is hereby continued, until the next term, per stipulation of counsel.

301. Eliza L. Pope, Plff in Error, vs. Anna Clara Falk and Henry Falk. — In Error to the Supreme Court of the State of Kansas.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with cost.

Monday, April 2d, 1906. Continued.

369	Benjamin C. Thordeau, Plff in Error, vs. William Klapmeyer.	In Error to the Supreme Court of the State of Kansas.

It appearing to the Court that a motion by Counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this Cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

179	James Buck, Trustee &c., Plff in Error, vs. William E. Beach, Treasurer &c.	It is ordered by the Court that this cause be, and the same is, hereby passed, subject to the provisions of section 9 of Rule 26.

370	Franklin McNeill et al., Appellants, vs. Southern Railway Co.	On motion of Mr. R. A. Battle, of Counsel for McNeill et al, leave is, hereby granted to three Counsel to make oral argument on behalf of McNeill et al.
594	Southern Railway Co., Appellant, vs. Franklin McNeill et al.	

The argument of these cases was commenced by Mr. R. A. Battle and continued by Mr. E. J. Justice, of Counsel for McNeill et al, and Mr. C. B. Northrop and Mr. F. N. Busbee, of Counsel for Southern Railway Co.

Proclamation being made the Court is adjourned until

Tuesday April 3d, 1906.

Pursuant to adjournment the Court met to day at the Capitol.

Present,

The Honorable, John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day.
} Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. Charles A. Robb it is ordered that Herbert N. Blanchard, Esquire, of Springfield, State of Vermont, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

E. L. Whitney, Warden &c.,
vs. Appellant,
George Dick.
No. 194.

E. L. Whitney, Warden &c.,
vs. Petitioner,
George Dick.
No. 557.

These Cases were submitted to the consideration of the Court on the record, and printed arguments by Mr. Solicitor General Hoyt, of Counsel for the appellant and petitioner, and Mr.

Tuesday, April 3d, 1906, Continued.

370. Franklin McNeill et al., Appellants, vs. Southern Railway Co., The argument of these cases was Continued by Mr. F. H. Busbee, of Counsel for Southern Railway Co., and concluded by Mr. Robert D. Gilmer, of Counsel for McNeill et al.

594. Southern Railway Co., Appellant, vs. Franklin McNeill et al.

539. Joseph Ralph Burton, Plff in Error, vs. The United States. On motion of Mr. John F. Dillon, of Counsel for the plaintiff in error, It is ordered by the Court that three Counsel be allowed to argue orally on behalf of the plaintiff in error and that one hour additional, be allowed each side for the argument of this cause.

539. Joseph Ralph Burton, Plff in Error, vs. The United States. The argument of this cause was Commenced by Mr. John F. Dillon, of Counsel for the plaintiff in error, and Continued by Mr. Bailey P. Hagner, of Counsel for the plaintiff in error, and Mr. Assistant Attorney General Robb, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday April 11th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable { John M. Harlan, David J. Brewer, Henry B. Brown, Edward D. White, Rufus W. Peckham, Joseph McKenna, Oliver Wendell Holmes, William Day } Associate Justices

John F. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Courts opened.

On motion first made to the Court in this behalf by Mr. John W. Daniel it is ordered that John W. Williams, Esquire, of Harrisburg, State of Virginia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

995. George C. Hazellon, v. Francis Miller. — Appellant,

Mr. J. J. Darlington, of Counsel for the appellee, suggested the death of Francis Miller, the appellee herein, and moved the Court to make Margaret R. Shoales, Vincent A. P. Miller, Jesse Miller, John Blake Miller, Alice S. Miller, Richard Miller, and Elmer Miller, only heirs, and Regina Miller, widow,

upon. It is now here ordered by the Court that the said Margaret R. Shields, Vincent D. P. Miller, Jesse Miller, John Blake Miller, Alice S. Miller, Richard Miller, and Elmer Miller, only heirs, and Regina Miller, widow, of the said Francis Miller deceased, be, and they are hereby, made the parties appellees in this cause.

534. Joseph Ralph Burton, Plff in Error, vs. The United States. The argument of this cause was continued by Mr. Assistant Attorney General Robb, of counsel for the defendant in error, and concluded by Mr. P. H. Lehmann, of counsel for the plaintiff in error. Leave was granted counsel for the defendant in error to file an additional brief within two days.

553. Robert Sawyer et al., Plffs in Error, vs. The United States. The argument of this cause was commenced by Mr. Corcoran Thom, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, April 5th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol:

Present

The Honorable John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James N. Gillett it is ordered that James F. Farraher, Esquire, of Yreka, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Lacey it is ordered that George B. Lynch, Esquire, of Attica, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Robert Sawyer et al., Plffs in Error, vs. } No. 553. } Reargument of this cause was continued by Mr. Cor

the plaintiffs in error, and Mr. Solicitor General Hoyt, of counsel for the defendant in error, and concluded by Mr. Corcoran Thom, of counsel for the plaintiffs in error.)

111. Reuben Hodges et al., vs. Plffs in Error, The United States.

It is ordered by the Court that this cause, be and the same is, hereby, reassigned, for argument on Monday, the 23d instant, at the head of the call for that day.

16, Original. The State of Oregon, Complainant, vs. Ethan A. Hitchcock, Secretary of the Interior, et al.,

The argument of the demurrer herein was commenced by Mr. F. A. Clements, of counsel for the defendants, and continued by Mr. Charles A. Keigwin, of counsel, for the complainant.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 6th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable { John M. Harlan, David J. Brewer, Henry B. Brown, Edward D. White, Rufus W. Peckham, Joseph McKenna, Oliver Wendell Holmes, William R. Day. } Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Julius M. Mayer it is ordered that William S. Bennet and J. VanVechten Olcott, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. O. Bacon it is ordered that Frederick M. Ezaki, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Dick it is ordered that Charles Koonce, Jr., Esquire, of Youngstown, State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar J. Rich it is ordered that Charles S. Pierce, Esquire, of Milton, State of Massachusetts, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. D. Crumpacker it is ordered that C. V. McAdams, Esquire, of Williamsport, State of Indiana, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Robert Jackson, Plff in Error,
vs.
George E. Emmons et al.

It is ordered by the Court that this cause be, and the same is hereby, Continued until the next term, per

921. Stipulation of Counsel.

16, Original. The State of Oregon, Complainant vs. Ethan A. Hitchcock, Secretary of the Interior, et al.

The argument for the demurrer herein was continued by Mr. Charles A. Keigwin, of counsel for the complainant, and concluded by Mr. A. G. Campbell, of counsel for the defendants.

547. J. G. Rawlins et al. Plffs in Error, vs. The State of Georgia.

The argument of this cause was commenced by Mr. J. R. Cooper, of counsel for the plaintiffs in error. The Court declined to hear further argument.

915. Harriet P. James, Admx &c., Appellant, vs. The United States.

The argument of this cause was commenced by Mr. Morgan H. Beach, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock M.

Monday April 9th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable John M. Harlan,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices

John G. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Herbert L. Baker, Esquire, of Boston, State of Massachusetts, and John F. Geeting, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. L. Kennedy it is ordered that Frank M. Hall, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr.

MacDonald, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Bates it is ordered that Robert H. Richards, Esquire, of Wilmington, State of Delaware, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert N. McCarter it is ordered that Alonzo Church, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Taylor it is ordered that Peter J. Brown, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius M. Mayer it is ordered that John C. Clark, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. C. Keegin it is ordered that Innis E. Riddle, Es-

practice as an attorney and counsellor of this Court and he was sworn accordingly.

183. The City of Cleveland and The Forest City Railway Company vs. The Cleveland Electric Railway Company. Appellants, Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

241. The West Chicago Street Railroad Company vs. The People of the State of Illinois ex rel. The City of Chicago. Plff in Error, In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs. Per Mr. Justice Harlan.

371. Alabama & Vicksburg Railway Company et al., vs. The Railroad Commission of the State of Mississippi, (Miss in Error,

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

(See Mr Justice Harlan.)

625. Hitchcock County Nebraska, vs. James B. Hall. (Petitioner,

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

(See Mr. Justice Harlan.)

630. Henry Dodd, Trustee in bankruptcy of Stringer, Samuel & Saul, Bankrupts, (Petitioner, vs. A. Samuel and S. Saul.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel

same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Harlan.

644. The New Amsterdam Casualty Company, Petitioner, vs. The East Tennessee Telephone Company et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Harlan.

646. C. C. Slaughter, Petitioner, vs. The Mallet Land & Cattle Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Harlan.

654. Joseph A. Savage, Petitioner, vs. M. Adah Savage. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein, to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Justice Harlan.)

655. H. K. White Coal Company, Petitioner, vs. Cheronea Steamship Company, Limited. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Justice Harlan.)

655a. H. K. White Coal Company, Petitioner, vs. Ursula Bright Steamship Company, Limited. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Harlan.

657. N. K. River Coal Company, Petitioner, vs. New Ruperra Steamship Company, Limited. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Justice Harlan.

658. N. K. River Coal Company, Petitioner, vs. Sir Alfred Lewis Jones. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

666. General Fire Extinguisher Company, Petitioner, vs. Joseph R. Lamar, Trustee, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

667. A. Klipstein & Company, Petitioner, vs. Peter G. Grant, Trustee in bankruptcy of the Allen Mills Company, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan.

73. The Otis Company vs. The Ludlow Manufacturing Company et al. Plff in Error, The motion to amend the judgment of this Court in this cause was submitted to the Cou

Court on printed arguments by Mr. B. B. Jones, in support of the same, and Mr. William A. Brooks, Mr. James B. Carroll, and Mr. Wallen S. Robinson, in opposition thereto.

671. The Consolidation Coal Company, Petitioner, v. American Mail Steamship Company, Claimant &c.

679. The Consolidation Coal Company, Claimant &c., Petitioner, v. American Mail Steamship Co.,

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. J. Walter Lord and Mr. E. S. Dodge, in support of the same, and Mr. Wilhelmus Mynderse, and Mr. E. E. Blodgett, in opposition thereto.

664. Clinton Stephens, Jr., Petitioner, v. Essex County Park Commission.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Andrew Wilson and Mr. Noel H. Barksdale, in support of the same, and Mr. Alonzo Church and Mr. Robert H. McCarter, in opposition thereto.

663. Dennison Manufacturing Co., Petitioner, v. Scharf Tag, Label & Box Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Archibald Cox, in support of the same.

6764. Hiram P. Chapman, Plaintiff in Error, vs. Florence Elliott Chapman. Defendant in Error. Petition for an order requiring the plaintiff in error to pay into Court a reasonable sum of money for the maintenance of the defendant in error during the pendency of this suit, to pay attorneys fee, and to pay costs including printing of brief was submitted to the consideration of the Court by Mr. J. H. Woodrough, of counsel for the defendant in error, and leave was granted counsel for the plaintiff in error to file a brief in opposition thereto within one week.

6774. A. M. Hastings, Administrator &c., Petitioner, vs. Southern Railway Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Mathews Johnson and Mr. Joseph N. McCullough, in support of the same, and Mr. George E. Hamilton and Mr. M. J. Colbert in opposition thereto.

Ex parte In the matter of George Moran, Petitioner. Mr. Finis E. Riddle, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for writs of habeas corpus and certiorari.

6777. George K. Alley et al., Petitioners vs. The petition for a writ of certiorari herein was sub-

of the Court on printed arguments by Mr. Levy Mayer, Mr. Alfred S. Austrian, and Mr. Allan McCulloh, in support of the same, and Mr. William Lindsay and Mr. J. Culbert Palmer in opposition thereto.

669. Charles E. Cooper, Trustee, Petitioner, vs. Martin Burns et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. C. Matthews, in support of the same, and Mary Burns in pro. per. persona, in opposition thereto.

678. Edward Morris, Petitioner, vs. The Third National Bank of Springfield, Mass. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Vinton Pike, in support of the same.

662. George Westinghouse Jr., et al., Petitioners, vs. The New York Air Brake Co., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George H. Christy and Mr. Samuel R. Betts, in support of the same, and Mr. William A. Jenner and Mr. Charles Neave, in opposition thereto.

3, Original. The State of Maryland, Complainant; vs. The State of West Virginia, Defendant.

On motion of Mr. H. S. Bryan, Jr. of counsel for the complainant, leave, is hereby granted to file a stipulation of counsel as to the taking of testimony herein.

570. The People of the State of Illinois ex rel. John McNichols, Plaintiff in Error; vs. Thomas E. Barrett, Sheriff &c.

Mr. John P. Scaling of counsel for the plaintiff in error, suggested the death of Thomas E. Barrett, Sheriff of Cook County, Illinois, the defendant in error herein, and the appointment of James Rose as his successor as such Sheriff, and moved the Court to make the said James Rose, Sheriff &c. the party defendant in error in this cause. Whereupon, It is now here ordered by the Court that the said James Rose, Sheriff of Cook County, Illinois, be, and he is hereby, made the party defendant in error in this cause.

570. The People of the State of Illinois ex rel. John McNichols, Plaintiff in Error; vs. James Rose, Sheriff &c.

Mr. John P. Scaling, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to admit the plaintiff in error to bail.

626. Thomas M. Patterson, Plff in Error
vs.
The People of the State of Colorado ex rel. The Attorney General of the State of Colorado.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. J. B. Melville and Mr. N. C. Miller, in support of the same, and Mr. Henry M. Teller, Mr. Charles S. Thomas, Mr. Sterling B. Toney, Mr. Harvey Riddell, and Mr. John A. Rush, in opposition thereto.

272. J. A. Axtell et al., Plff in Error
vs.
Cyrus Webber.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Andrew G. Dunn, in support of the same, and Mr. George E. Clarke, in opposition thereto.

915. Harriet P. James, Admx &c., Appellant,
vs.
The United States.

The argument of this cause was continued by Mr. Morgan A. Beach, of counsel for the appellant, and Mr. Assistant Attorney General Van Orsdel, of counsel for the appellee, and concluded by Mr. Morgan A. Beach, of counsel for the appellant.

The People of the State of New York ex rel. The New York Central & Hudson River Railroad Co.,
81 & 84. vs. Aff'm in Error.
Nathan L. Miller, Comptroller &c.

The People of the State of New York ex rel. The New York Central & Hudson River Railroad Co.,
586, 587 & 588. vs. Aff'm in Error.
Otto Kelsey, Comptroller &c.

These cases were argued by Mr. Albert N. Harris, of counsel for the plaintiff in error and Mr. Julius M. Mayer, of counsel for the defendants in error

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, April 10th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. B. Heyburn it is ordered that Addison A. Crane, Esquire, of Harrison, State of Idaho, and Richard H. Muzzum, Esquire, of Spokane, State of Washington, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles N. Groesbeck it is ordered that Campbell M. Voorhees, Esquire, of Columbus, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius Kahn it is ordered that [illegible]

Esquire, of San Francisco, State of California, be admitted, to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James W. Witten it is ordered that G. Arnett Manning Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. A. DeArmond it is ordered that Elijah F. Stone, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

The Chief Justice announced that the Court will adjourn from Thursday to Monday next.

393. The Commonwealth of Kentucky, Appellant, vs. Caleb Powers. On motion of Mr. J. H. Embry, in behalf of Counsel, for the appellee,

It is ordered by the Court that the mandate herein be stayed for thirty days.

69. The Skaneateles Paper Co, et al, Plffs in Error, vs. The City of Syracuse. The argument of this cause was commenced by Mr. Martin Conboy, of Counsel

Tuesday, April 10th, 1906, Continued.

Further argument.

216. The Interstate Commerce Commission, Appellant, vs. The Lake Shore & Michigan Southern Railway Company et al. On motion of Mr. George C. Greene, of counsel for the appellees, leave is hereby granted to three counsel to argue this cause orally for the appellees.

216. The Interstate Commerce Commission, Appellant, vs. The Lake Shore & Michigan Southern Railway Co. et al. The argument of this cause was commenced by Mr. L. A. Shaver, of counsel for the appellant, and continued by Mr. George C. Greene and Mr. George W. Wall, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, April 11th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. B. C. Brown it is ordered that A. W. Brewster, Esquire, of St. Joseph, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

232. Thomas J. Breslin, vs. James G. Carroll. On certificate from the United States Circuit Court of Appeals for the Third Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court from the statement of counsel on file that the matters in controversy herein have been settled, it is now here

same is hereby stricken from the docket
per Mr. Chief Justice Fuller.

216. The Interstate Commerce Commission, Appellant, vs. The Lake Shore & Michigan Southern Railway Co., et al. The argument of this cause was continued by Mr. Adelbert Moot, of counsel for the appellees, and concluded by Mr. John G. Carlisle, of counsel for the appellant, and leave was granted counsel for the appellant to file an additional brief.

219. J. N. Seale vs. Elfin Ems, The State of Georgia. The argument of this cause was commenced by Mr. J. J. Strickland, of counsel for the plaintiff in error.

The Court declined to hear further argument.

220. John W. McDonald, Receiver &c., Appellant, vs. Chauncey Dewey et al, Executors &c.

530. Chauncey Dewey et al, Executors &c., Appellants, vs. John W. McDonald, Receiver &c. The argument of these cases was commenced by Mr. Frank M. Hall, of counsel for McDonald, Receiver &c., and continued by Mr. William B. McKenzie, of counsel for Dewey et al, Executors &c.

Proclamation being made the Court is adjourned until

Thursday, April 12th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. J. A. Burkart it is ordered that Benjamin Franklin Spellman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles L. Tinley it is ordered that Malcolm Lloyd, Jr., Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Daniel it is ordered that Frederick W.

practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that George E. Tebbetts, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

220. John W. McDonald, Receiver &c. vs. Appellant, Chauncey Dewey et al, Executors &c.

Chauncey Dewey et al, Executors &c. vs. Appellants, 530. John W. McDonald, Receiver &c.

The argument of these cases was continued by Mr. William B. McIlvaine, of counsel for Dewey et al. Executors &c. and concluded by Mr. Frank M. Hall, of counsel for McDonald, Receiver &c.

225. George C. Hazelton, vs. Appellant, Margaret R. Sheckells et al, devisees &c.

This cause was argued by Mr. Asher J. May, of counsel for the appellant, and Mr. J. J. Darlington, of counsel for the appellees.

226. Gila Bend Reservoir and Irrigation Company vs. Appellant, The Gila Water Company.

The argument of this cause was commenced by Mr. William C. Prentiss, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Mary L. Prescott of Wilkes-Barre State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Herring it is ordered that Sarah Herring Sorin of Phoenix, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Littlefield it is ordered that, George D. Bisbee, Esquire, of Rumford Falls, State of Maine, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. H. Stilwell it is ordered that Walter Bennett, Esquire, of Phoenix, Territory of Arizona, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly. 547.

On motion first made to the Court in this behalf by Mr. J. H. Gillett it is ordered that N. M. Wright, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Wickham Smith it is ordered that Frederick H. Brooks, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly. 210.

On motion first made to the Court in this behalf by Mr. Robert H. Richards it is ordered that Edward D. Duffield, Esquire, of South Orange, State of New Jersey, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul Charlton it is ordered that W. A. Clark Esquire, of Virginia City, State of Montana, be admitted, to practice as an attorney and counsellor of this Court and he was sworn accordingly.

J. J. Rawlins, Milton Rawlins, Leonard Rawlins 2nd and Jesse Rawlins, Plffs in Error, vs. The State of Georgia, Deft in Error. } In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by Counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Nelson

Frederick St. John, Plff in Error, vs. The People of the State of New York. } In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of

same is hereby affirmed with costs.

Per Mr. Justice McKenna.

119. John H. Haddock, Plff in Error, vs. Harriet Haddock. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White,

Dissenting:
Mr. Justice Brown,
Mr. Justice Harlan,
Mr. Justice Brewer, and
Mr. Justice Holmes.

364. Perry F. Powers, Auditor General of the State of Michigan, Appellant, vs. The Detroit, Grand Haven & Milwaukee Railway Company. Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by

ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Brewer.

Dissenting:
Mr. Justice White

The Chief Justice announced that the call of the docket will be suspended on the 27th instant, that the Court will take a recess from Monday, the 20th instant, to Monday, May 11th and that the Court will adjourn for the term on Monday, May 25th next.

Ex parte In the matter of George Moran, Petitioner. } On consideration of the motion for leave to file a petition for writs of Habeas Corpus and Certiorari herein, It is now here ordered by the Court that said motion be, and the same is, hereby granted.

99, Original.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of George Moran, Petitioner. } On consideration of the petition of George Moran, It is nowhere ordered by the Court that cause be shown by W. T. Haskell, Warden of the Kansas State Penitentiary at Lansing, Kansas, before this Court, at the City of

99, Original.

prayer of said petition should not be granted,
Per Mr. Chief Justice Fuller.

315. Granville Stuart
vs. Plff in Error,
Samuel T. Hauser et al.

On consideration of the motion of counsel for the plaintiff in error for leave to print the record herein without the exhibits mentioned therein but not returned therewith, or to extend the time for filing a specification of errors and designation of the parts of the record to be printed,
It is now here ordered by the Court that said motion be, and the same is hereby, denied, but the plaintiff in error is hereby given thirty days in which to proceed under Paragraph 9 of Rule 10.
Per Mr. Chief Justice Fuller.

73. The Otis Company
vs. Plff in Error.
The Ludlow Manufacturing Co, et al.

On consideration of the motion to amend the decree of this Court in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.
Per Mr. Chief Justice Fuller.

279. J. A. Axtell et al.
vs. Plffs in Error.
Cyrus Webber.

It is ordered by the Court that the further consideration of the motion to dismiss in this cause, be, and the same is hereby, postponed until the

The People of the State of Illinois ex rel. John McNichols, vs. Plff in Error,
257. James Pease, Sheriff of Cook County, Illinois

On consideration of the motion to admit the plaintiff in error to bail, this now here ordered by the Court that said motion be and the same is hereby granted upon the plaintiff in error giving bond running to James Pease, Sheriff of Cook County, Illinois, in the penal sum of one thousand dollars, conditioned according to law, and approval by a Judge of the Circuit Court or of the District Court of the United States for the Northern District of Illinois.

Per M. Chief Justice

Thomas M. Patterson, vs. Plff in Error,
626. The People of the State of Colorado ex rel. The Attorney General of the State of Colorado.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per M. Chief Justice

Miram P. Chapman, vs. Plff in Error,
644. Florence Elliott Chapman,

On consideration of the motion for an order requiring the plaintiff in error to

maintenance of the defendant in error during the pendency of this suit, to pay attorney's fee, and to pay costs including printing of brief, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

661. The Ninth National Bank of New York, Petitioner vs. Marcus A. Adler. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

In consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit, and the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

662. George Westinghouse, Jr., and The Westinghouse Air Brake Company, Petitioners, vs. The New York Air Brake Company et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

In consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the

petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

663. Dennison Manufacturing Company, Petitioner, vs. Scharf Tag, Label and Box Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel, in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

664. Clinton Stephens, Jr., Petitioner, vs. Essex County Park Commission. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is, hereby, denied.

Per Mr. Chief Justice Fuller.

669. Charles E. Cooper, Trustee, vs. Martin Burns, Mary Burns, Blake Maher et al. Petitioner, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

671. The Consolidation Coal Co., vs. American Mail Steamship Company, Claimant of the Steamship "Admiral Schley". Petitioner, On petition for writ of certiorari to the United States Circuit Court of Appeals, for the First Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

672. The Consolidation Coal Co. Claimant of the Steamer "Charles P. Mayer," Petitioner, v. American Mail Steamship Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On Consideration of the petition for a writ of Certiorari, herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

674. N. M. Hastings, Administrator of Paul Hastings, deceased, Petitioner, v. Southern Railway Company. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On Consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

677. George H. Allen, Edson Bradley and Augustus D. Ayal, Petitioners, vs. Nannie Field, Executrix, and H. H. Field, Executor, under the last will & testament of J. H. M. Field, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

678. Edward Morris, Petitioner, vs. The Third National Bank of Springfield, Massachusetts. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

69. The Skaneateles Paper Company et al., Plffs in Error, v. The City of Syracuse. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

219. J. N. Seale, Plff in Error, v. The State of Georgia. In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

168. Illinois Central Railroad Co., Plff in Error, v. J. W. McKendree. The suggestion of the want of jurisdiction herein was submitted to the

printed arguments by Mr. Attorney General Moody and Mr. Assistant Attorney General McReynolds, in support of the same, and Mr. J. M. Dickinson and Mr. Edmund F. Trabue, in opposition thereto.

685. Francisco Dones, Appellant, vs. Jose Urrutia, Warden &c. On motion of Mr. Solicitor General Hoyt, of counsel, for the Appellee, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Monday, May 14th next.

653. John B. Ellison et al, Petitioners, vs. The United States. The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward S. Walsh, in support of the same, and Mr. Solicitor General Hoyt, in opposition thereto.

686. C. Schmitz, doing business as Kurtz, Stubbeck & Co., Petitioner, vs. The United States. The petition for a writ of Certiorari, herein was submitted to the consideration of the Court on printed arguments by Mr. Albert A. Washburn, in support of the same, and Mr. Solicitor General Hoyt, in opposition thereto.

547. David Kawananakoa et al, Appellants, v. Ellen Albertina Polyblank, Trustee, et al.) The motion to vacate the order entered herein on February 4th, 1907, docketing and dismissing this appeal, and for leave to file the record and docket the cause was submitted to the consideration of the Court on printed arguments by Mr. William F. Nottingly and Mr. J. J. Darlington, in support of the same, and Mr. Addison B. Browne and Mr. Alexander Britton in opposition thereto.

684. John Norgate, Petitioner, v. The Denver & Rio Grande Railroad Company.) The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward T. Fenwick, in support of the same, and Mr. Joel F. Vaile and Mr. Henry A. Dubbs, in opposition thereto.

673. S. M. Pyson et al.) Petitioners, v. Frank E. Creelman.) The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. H. L. Martin and Mr. W. A. Gunter, in support of the same, and Mr. R. E. Steiner, in opposition thereto.

680. J. H. Tarrier
vs. Petitioner
Equitable Life Assurance Society of the United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed argument by Mr. H. L. Martin and Mr. H. A. Gunter, in support of the same, and Mr. Horace Stringfellow and Mr. R. E. Steiner, in opposition thereto.

689. George A. Pettibone, Appellant, vs. Jasper C. Nichols,
690. Charles A. Moyer, Appellant, vs. Jasper C. Nichols,
691. William D. Haywood, Appellant, vs. Jasper C. Nichols.

Mr. Edmund F. Richardson, of counsel for the appellants, submitted to the consideration of the Court a motion to advance these cases.

688. Fields S. Pendleton,
vs. Petitioner,
Central Railroad of New Jersey.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. E. E. Blodgett, in support of the same, and Mr. James J. Macklin, Mr. La Roy S. Love, and Mr. C. S. Dodge, in opposition thereto.

Ex parte In the matter of
Abraham C. Steiner
Petitioner.

Mr. J. J. Darlington, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Ex parte In the matter of Abraham C. Hiner, (Petitioner.) Mr. J. J. Darlington of Counsel for the petitioner submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition herein.)

683. John B. Mayes et al, Petitioners, vs. Margaret N. Mandeville The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. B. Repetto, in support of the same, and Mr. Russell Duane, in opposition thereto.

1, Original. The State of New Jersey, Complainant, vs. The State of Delaware.) Mr. E. D. Duffield in behalf of Counsel for the Complainant submitted to the consideration of the Court a motion for a further suspension of proceedings herein.)

2, Original. The State of Iowa, Complainant, vs. The State of Illinois. Mr. John F. Lacey of Counsel for the Complainant, submitted to the consideration of the Court a stipulation of Counsel as to a final decree in this cause.)

4, Original. The State of Maryland, Complainant, vs. The State of West Virginia, Defendant.

On motion of Mr. Frederic D. McKenney in behalf of counsel, and in pursuance of the stipulation of counsel heretofore filed herein,

It is now here ordered by the Court that the taking of depositions in this case be closed on the first day of August, 1906, and that all the depositions heretofore taken or to be hereafter taken with all accompanying plats and exhibits in the case shall be returned to and filed in the office of the Clerk of this Court on or before the tenth day of August, 1906.

Per Mr. Chief Justice Fuller.

5, Original. The State of Missouri, Complainant, vs. The State of Nebraska, Defendant.

On motion of Mr. E. H. Hinshaw, in behalf of counsel for the complainant,

It is ordered by the Court that the final report of the Commissioners appointed to mark the boundary line between the State of Missouri and the State of Nebraska be filed.

It is further ordered that said Report be, and the same is hereby, confirmed.

Per Mr. Chief Justice Fuller.

6, Original. Ex parte. In the matter of Alphonso B. Bowers and Bowers California Dredging Company, Petitioners.

This cause having been called for hearing and it appearing to the Court that counsel,

authorized the dismissal of the petition herein. It is, therefore, now here ordered by the Court that said petition be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

The State of Kansas, al. Complainant, vs. The State of Colorado et al. The United States, Intervenor.

On motion of Mr. Solicitor General Hoyt it is ordered that the time for filing briefs on behalf of The United States be, and the same is hereby, extended to September 1st next.

On motion of Mr. Frederic D. McKenney in behalf of counsel, it is ordered that the time for filing the brief of counsel for The Colorado Fuel & Iron Co, one of the defendants herein, be, and the same is hereby, extended two weeks.

The State of South Dakota, inal. Complainant, vs. The State of North Carolina et al.

It is ordered by the Court that this cause be, and the same is hereby, stricken from the docket.

Per Mr. Chief Justice Fuller.

The State of Washington, al. Complainant, vs. thern Securities Company et al

In Equity.

This cause having been called for hearing and it appearing to the Court that a stipulation of

this cause has been filed; Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this cause be, and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice Fuller.

The United States, Complainant,
10, Original. vs.
The State of Michigan.

On motion of Mr. Solicitor General Hoyt, of counsel for the complainant, It is ordered by the Court that this cause be, and the same, is hereby, continued until the next term, per stipulation of counsel.

Ex parte. In the matter of James Lincoln, Petitioner.
91, Original.

On motion of Mr. Solicitor General Hoyt, It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on the 23d instant.

Gila Bend Reservoir and Irrigation Company, Appellant,
976. vs.
The Gila Water Company.

The argument of this cause was concluded by Mr. William C. Prentiss, of counsel for the appellant, and the cause was submitted on a printed argument by Mr. C. F. Ainsworth, of counsel for the appellee.

927 The United States, Appellant, vs. The Milliken Imprinting Co. Appellant.

The argument of this cause was commenced by Mr. Louis A. Pratt of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, April 17th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. N. H. Palmer it is ordered that Willis J. Spicer, Esquire, of Syracuse, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward A. Moseley it is ordered that Patrick J. Farnell, Esquire, of Newport, State of Vermont, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Tuesday, April 9th 1906, Continued;

227. The United States, Appellant, v. The Millikin Imprinting Co. The argument of this cause was continued, by Mr. Louis A. Pradt, of Counsel for the appellant, and Mr. Malcolm Lloyd, Jr., and Mr. David Millikin, of Counsel for the appellee, and concluded by Mr. Louis A. Pradt, of Counsel for the appellant.

228. The United States, Petitioner, v. Emil Diederichoff et al. This cause was argued, by Mr. Assistant Attorney General McReynolds, of Counsel for the petitioner, and Mr. H. Wickham Smith, of Counsel for the respondents.

230. Antonio Ortega, Plff in Err., v. Angela Lance, Deft in Error. The argument of this cause was commenced, by Mr. George A. Lemon, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned, until tomorrow at twelve o'clock.

Wednesday, April 18th, 1906.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph P. Robinson it is ordered that Ernest C. Wood, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Townsend it is ordered that James F. Wilson and James Kennedy, Esquires, of Youngstown, State of Ohio and Joseph William Howell, Esquire, of Mecon, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

213. Mary Josephine Scannell, widow of Abraham Lucia, Emmalie Scannell, wife of Robert E. Kelly, et al, vs. Cole. Blanche Company Selma, Levy et al, heirs of Lazare Levy, and Lucie Bloch et al, heirs of Meier Bloch. (Pffs in Error, In Error to the Supreme Court of the State of Louisiana.)

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties, have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same, is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

220. Antonio Ortega, vs. Angela Lana, (Pff in Error,) The argument of this cause, was continued by Mr. George H. Lamar of counsel for the plaintiff in error, and Mr. Frederic D. McKenney of counsel for the defendant in error, and concluded by Mr. George H. Lamar, of counsel for the plaintiff in error. Leave was granted counsel for the plaintiff in error to file an additional brief within five days.

231. The Drake & Stratton Company, Limited, Plff in Error, vs. John Manwaring. In Error to the Supreme Court of the State of Minnesota.

It appearing to the Court that a stipulation of Counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here Ordered and Adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed, without costs to either party.

Per Mr. Chief Justice Fuller.

232. The Texas & Pacific Railway Company, Plff in Error, vs. Mugg & Dryden. This cause was submitted to the Consideration of the Court on the record, and a printed argument by Mr. John F. Dillon, Mr. Winslow S. Pierce, and Mr. D. D. Duncan of counsel for the plaintiff in error. No Counsel appeared for the defendants in error.

233. Josiah Milliard, Appellant, vs. Ellis N. Roberts, Treasurer, &c., et al. This cause was argued by Mr. Josiah Milliard, in propria persona, and submitted on a printed argument by Mr. Solicitor General Hoyt, Mr. Edward

McKenney, Mr. John Fielding, Mr. Kenney, Mr. George E. Hamilton and Mr. W. J. Colbert, of counsel for the appellees.

235. Santa Fe Pacific Railroad Co., Plff in Error, vs. Laurete Holmes. } Argument of this cause was commenced by Mr. Gardiner, Last name of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, April 19th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John N. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. C. McReynolds it is ordered that N. J. Lafayette Savoy, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Robb it is ordered that Edwin W. Lawrence, Esquire, of Rutland, State of Vermont, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. H. Bonynge, it is ordered that Frank McDonough, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Sutherland it is ordered that H. H. Dickson, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that Frank Hendrick, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

235. Santa Fe Pacific Railroad Co., Plff in Error, vs. Laurele Holmes. The argument of this cause was continued by Mr. Gardiner Lathrop, of counsel for the plaintiff in error, and Mr. H. H. Stilwell, of counsel for the defendant in error, and concluded by Mr. Gardiner Lathrop, of counsel for the plaintiff in error.

236. Thomas O'Connor, Plff in Error, vs. The State of Texas. This cause was argued by Mr. A. G. McKinney, of counsel for the plaintiff

on a printed argument by Mr. C. K. Bell of counsel for the defendant in error.

237. Peter Pierson and Enoch Pierson vs. William Williams, U.S. Commissioner of Immigration. Petitioners. The argument of this cause was commenced by Mr. Eugene Treadwell, of counsel for the petitioners, and continued by Mr. Assistant Attorney General Robb, of counsel for the respondent.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. N. C. Young it is ordered that George P. McCallum, Esquire, of Sault Ste. Marie, and M. M. Riley, Esquire of Ironwood, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Douglas it is ordered that George E. Hoover, Esquire, of Washington, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Chattanooga, State of Tennessee, be admitted to practice as Attorney and Counsellor of this Court and he was sworn accordingly.

251. Oscar D. Halsell et al, Appellants, vs. William C. Renfrow et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. N. Everest, of counsel for the appellants, and Mr. John W. Shartel and Mr. James R. Keaton, of counsel for the appellees.

237. Peter Pearson and Enoch Pearson, Petitioners, vs. William Williams, U.S. Commissioner of Immigration.

The argument of this cause was continued by Mr. Assistant Attorney General Robb, of counsel for the respondent and concluded by Mr. Eugene Treadwell, of counsel for the petitioners.

239. The United States, Petitioner vs. The Cornell Steamboat Co.

This cause was argued by Mr. Assistant Attorney General McReynolds, of counsel for the petitioner, and Mr. R. D. Benedict, of counsel for the respondent.

241. Allan L. McDermott, Receiver &c., Plff in Error, vs. Charles E. Severe, by his next friend William B. Severe.

The argument of this cause was commenced by Mr. George P. Hoover,

Friday April 20th 1906 Continued.,

Plaintiff in error, and continued for Mr. A. S. Worth-
ington, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned
until Monday next at twelve o'clock.

Monday, April 23d, 1906.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Moody it is ordered that Otis J. Carleton, Esquire, of Haverhill, and Henry V. Cunningham, Esquire of Boston, State of Massachusetts be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. N. Clagett it is ordered that William C. Harland, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Ellen S. Mussey it is ordered that Elsie Knowles Haskell, of Butte, State of Montana be admitted to practice as an attorney and Counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that Louis St. Porter Esquire, of New York City be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Selden it is ordered that Charles G. McRoberts, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Ellis it is ordered that William D. Riggs, Esquire of Kansas City, State of Missouri, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Kemphill it is ordered that Walter R. Hotch, Esquire, of Gadsden, State of Alabama, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. H. Piles it is ordered that Frank Burch, Esquire, of Centralia, State of Washington be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Hart it is ordered that Charles F. Hopkins, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1. Jose Antonio Fernandez y Perez, Plff in Error, vs. Jose Perez y Fernandez. In Error to the District Court of the United States for the District of Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court with directions to dismiss the suit.

Per Mr. Justice Day.

Dissenting:
Mr. Justice White and
Mr. Justice McKenna.

175. George C. Hazellon, Appellant, vs. Margaret R. Sheckels et al, devisees of Francis Miller deceased. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Holmes.

16, Original. The State of Oregon, Complainant, vs. Ethan A. Hitchcock, Secretary of the Interior, and William A. Richards, Commissioner of the General Land Office. In Equity.

This cause came on to be heard on the bill of complaint and demurrer of the defendants thereto and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that said demurrer be and the same is hereby sustained, and that the bill of complaint be and the same is hereby dismissed with costs.

1, Original. The State of New Jersey, Complainant, v. The State of Delaware. } On consideration of the motion for a further suspension of proceedings herein,

It is now here ordered by the Court that all proceedings in this cause be suspended until Tuesday October 9th next.

Per Mr. Chief Justice Fuller.

2, Original. The State of Iowa, Complainant, v. The State of Illinois. } In Equity.

This cause came on for final decree and was submitted on the following stipulation:

"And now comes the State of Iowa, complainant in this cause, and also comes the State of Illinois, defendant in this cause, and severally and jointly move the Court to vacate and set aside so much of the interlocutory order entered in this cause on the third day of January, A.D. 1893, as orders that a commission be appointed to ascertain and designate at said places the boundary line between the two States, said Commission consisting of three competent persons to be named by the Court, upon suggestion of counsel, and be required to make a proper examination and to delineate on maps prepared for that purpose the true line as determined by this Court and report the same to the Court for its further action; and also the interlocutory

March, A.D. 1893; and also that part of the interlocutory order entered in this cause on the tenth day of April, A.D. 1893, which was not set aside and vacated by the interlocutory order entered in this cause on the fifteenth day of January, A.D. 1894; and that part of the interlocutory order entered in this cause on the third day of January, A.D. 1893 whereby it was ordered, adjudged, and decreed by this Court that the boundary line between the State of Iowa and the State of Illinois is the middle of the channel of the Mississippi river at the places where the nine bridges mentioned in the pleadings cross said river, be declared, the final order, judgment, and decree of this Court in this cause,

(Chas. H. Mullan,
Attorney General of Iowa,
W. A. Stead,
Attorney General of Illinois"

In consideration whereof and of the decision of this Court reported 117 U.S. 1, It is ordered, adjudged, and decreed that the boundary line between the State of Iowa and the State of Illinois is the middle of the main navigable channel of the Mississippi river at the places where the nine bridges mentioned in the pleadings cross said river.)

Per Mr. Chief Justice Fuller.

State of Louisiana, Complainant,
11, Original. vs. } In Equity.
State of Mississippi.

This cause came on to be heard on the pleadings and proofs and was argued by Counsel. On consideration whereof, it is found by the Court that the State of Louisiana, Complainant, is entitled to a decree recognizing and declaring the real, certain and true boundary south of the State of Mississippi, and north of the southeast portion of the State of Louisiana, and separating the two States in the waters of Lake Borgne, and Mississippi Sound, to be, and that it is the deep water channel sailing line emerging from the most eastern mouth of Pearl River into Lake Borgne and extending through the northeast corner of Lake Borgne, north of Half Moon or Grand Island, thence east and south through Mississippi Sound, through South Pass between Cat Island and Isle au Pitre, to the Gulf of Mexico, as delineated on the following map made up of the parts of Charts Nos. 190 and 191 of the United States Coast and Geodetic Survey, embracing the particular locality

And it is ordered, adjudged, and decreed accordingly.

It is further ordered, adjudged, and decreed that the State of Mississippi, its officers, agents and citizens, be and they are hereby enjoined and restrained from disputing the sovereignty and ownership of the State of Louisiana in the land and water territory south and west of said boundary line as laid down on the foregoing map.

And that the costs of this suit be borne by the State of Mississippi.

(Per Mr. Chief Justice Fuller.)

Ex parte In the matter of Abram C. Wisner (Petitioner.) No. 23, Original. On consideration of the motion for leave to file a petition for a writ of mandamus herein,

It is now here ordered by the Court that said motion be, and the same is hereby, granted.

(Per Mr. Chief Justice Fuller.)

Ex parte In the matter of Abram C. Wisner (Petitioner.) No. 23, Original. On consideration of the petition of Abram C. Wisner, It is now here ordered that cause be shown by the Honorable [illegible] Judge of the District Court of the United States for the Eastern District of Missouri, holding the Circuit Court of the United States for the Eastern District of Missouri, Eastern Division, before this Court, at the City of Washington, on Monday, May 14th, 1906, at twelve o'clock,

be heard, why a writ of mandamus should not be issued as prayed in said petition.

Per Mr. Chief Justice Fuller.

Ex parte. In the matter of Abram C. Wisner, Petitioner. On consideration of the motion for leave, to file a petition for a writ of prohibition herein, It is now here ordered by the Court that said, motion be, and the same is hereby granted.

Not, Original. Per Mr. Chief Justice Fuller.

Ex parte In the matter of Abram C. Wisner, Petitioner. On consideration of the petition of Abram C. Wisner, It is now here ordered that cause be shown by the Honorable G. A. Pinkelnburg, Judge of the District Court of the United States for the Eastern District of Missouri, holding the Circuit Court of the United States for the Eastern District of Missouri, Eastern Division, before this Court, at the City of Washington, on Monday, May 14th, 1906, at twelve o'clock Noon of that day, or as soon thereafter as Counsel can be heard, why a writ of prohibition should not be issued as prayed in said petition.

Not, Original. Per Mr. Chief Justice Fuller.

David Kawananakoa et al., Appellants, On consideration of the motion to vacate the order entered herein

597. vs.

Ellen Albertina Polyblank, Executrix.

this appeal and for leave to file the record and docket the case, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted upon payment of costs.

Per Mr. Chief Justice Fuller.

653. John B. Ellison et al., Petitioners, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Third Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

673. S. M. Tipton et al., Petitioners, vs. Frank E. Creelman. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

680. J. W. Harriot
v. Petitioner,
Equitable Life Assurance Society of the United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

683. John B. Mayer et al.,
v. Petitioners,
Margaret N. Mandeville.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

684. John Norgate,
v. Petitioner,
The Denver & Rio Grande Railroad Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

686. C. Selmnitz, doing business as Kuntz, Stilboer & Co., Petitioner, v. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

688. Fields S. Pendleton, Petitioner, v. Central Railroad of New Jersey. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the

689. George A. Pettibone, Appellant, vs. Jasper C. Nicholls,
690. Charles A. Moyer, Appellant, vs. Jasper C. Nicholls,
691. William D. Haywood, Appellant, vs. Jasper C. Nicholls.

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument, as one case, on Tuesday, October 9th. next, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

702. The United States, Petitioner, vs. G. Falk & Brother.) The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Hoyt, in support of the same, and Mr. Edward S. Hatch and Mr. J. Stuart Tompkins, in opposition thereto.

589. The Cincinnati, Hamilton & Dayton Railway Co., et al., Appellants, vs. The Interstate Commerce Commission.) On motion of Mr. Solicitor General Hoyt It is ordered that the time within which to designate Parts of the record to be Printed be extended thirty days from May 5th. next, per stipulation of counsel.

671. Original. Ex parte In the matter of James Lincoln, Petitioner. This case was submitted to the consideration of the Court on printed arguments by Mr. Thomas L. Hamer and Mr. H. S. Summers, of counsel for the petitioner, and Mr. Solicitor General Hoyt, of counsel for the respondent.

674. Carter, Webster & Co., Petitioners vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward S. Meloh, in support of the same, and Mr. Solicitor General Hoyt, in opposition thereto.

704. The Goat & Sheepskin Import Company, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward S. Meloh, in support of the same, and Mr. Solicitor General Hoyt, in opposition thereto.

675. Philadelphia & Reading Railway Co., Lessee &c., Petitioner, vs. Benjamin D. Meloh, Master &c. et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. John

710. William E. Barber, Claimant &c., Petitioners, v. Bernard Gilman.

711. William E. Barber, Claimant &c., v. Michael F. Kilfoyle.

The petitions for writs of certiorari herein were submitted to the consideration of the Court by Mr. LaRoy S. Gove and, Mr. James J. Macklin, in support of the same.

967. The United States, Appellant, v. The American Sugar Refining Company of New York.

Mr. Charles Henry Butler in behalf of Counsel, submitted to the consideration of the Court a motion for leave to Counsel for certain interested parties to file briefs, herein.

692. Alice E. Van Epps, Admx &c., Petitioner, v. The United Box Board and, Paper Company.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. E. H. Risley, in support of the same, and Mr. Francis T. Chambers and Mr. John C. Fennie, in opposition thereto.

899. Antonio Jose Amadeo, use &c., Plff in Error, vs. The Northern Assurance Co.

900. Antonio Jose Amadeo use &c., Plff in Error, vs. The Royal Insurance Co.

901. Federico Amadeo, use &c. Plff in Error, vs. The Royal Insurance Co.

On motion of Mr. Fritz von Briesen, of Counsel for

issue the mandates in these cases.

698. Henry E. Frankenberg Co., Petitioner, v. The United States.) The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick H. Brooks, in support of the same, and Mr. Solicitor General Hoyt, in opposition thereto.

701. Amanda S. Whitfield et al., Petitioners, v. Aetna Life Insurance Co., of Hartford, Connecticut.) The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Frank Hagerman and Mr. H. S. Hadley, in support of the same.

647. Bainbridge W. Burdick, Appellant, v. William Dillon et al.) The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Selden Bacon, in support of the same, and Mr. A. V. Cunningham, in opposition thereto.

679. Alvin J. Garlock et al., Petitioners, v. James Bennett Forsyth.) The petition for a writ of certiorari herein was submitted to the consideration of the Court

support of the same, and Mr. Elmer P. Howe, in opposition thereto.

681. Semet-Solvay Company, Petitioner, v. John P. Wilcox. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. S. A. Holding, in support of the same.

705. Oxford & Coast Line Railroad Co., Petitioner, v. Union Bank of Richmond, Va.

706. Oxford & Coast Line Railroad Co., Petitioner, v. Union Bank of Richmond, Va. The petitions for writs of certiorari herein were submitted to the consideration of the Court by Mr. Thomas B. Womack, in support of the same.

682. Charles Kelley, Petitioner, v. The American Bank "Kenilworth", Henry A. St. Clair, Master, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. J. H. Brinton, in support of the same.

257. Georgetown & Tenallytown Railway Company of the District of Columbia vs. Plff in Error, Elizabeth B. Smith, Administratrix of the estate of Peter A. Smith. In Error to the Court of Appeals of the District of Columbia.

Appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in furtherance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

244. Allen L. McDermott, Receiver &c., vs. Plff in Error, Charles E. Seven, by his next friend William B. Seven. Reargument of this cause was continued by Mr. William Meyer Lewin and Mr.

Charles L. Frailey, of counsel for the defendant in error, and concluded by Mr. Charles A. Douglas of counsel for the plaintiff in error. Leave was granted counsel for the defendant in error to file an additional brief within five days, and to counsel for the plaintiff in error to file a reply thereto within three days thereafter.

111. Reuben Hodges et al, Plffs in Error. vs. The United States. This cause was argued by Mr. Attorney General Moody, of counsel for the defendant in error, and submitted on a printed argument by Mr. James R. Clarke, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William C. Prull it is ordered that Edwin Merrick, Esquire, of Albany, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stuart McNamara it is ordered that John B. Burg, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

261. Union Pacific Railroad Co., Appellant, vs. Robert O. Pink, Treasurer, etal. 262. Chicago, Burlington & Quincy Railway Co., Appellant, vs. N. P. Carlson et al.) It is ordered by the Court that these cases be, and they are hereby, passed and assigned, for argument with, Case No. 611, as one Case, on October 9th next, per stipulation of Counsel.

12, Original. The State of Georgia, Complainant, vs. The Tennessee Copper Co., etal. The argument of this cause was commenced by Mr. Ligon Johnson, of Counsel for the complainant, continued by Mr. John K. Plantz, of Counsel for the defendant The Tennessee Copper Co. and Mr. James L. Rucks, of Counsel for the defendant The Ducktown Sulphur, Copper & Iron Co., and concluded by Mr. John C. Hart, of Counsel, for the complainant. Leave was granted Counsel, for the Tennessee Copper Co., to file additional affidavits within three days and to Counsel for the complainant to file counter affidavits within three days thereafter.

215. Thomas J. Bush etal, Trustees &c., Plffs in Error, vs. J. M. Elliott, Jr. 216. Thomas J. Bush etal, Trustees &c., Plffs in Error, vs. Elliott Car Company.) The argument of these cases was commenced by Mr. James N. Beal, of Counsel for the plaintiffs in error.

Pursuant to notice the Court adjourned until tomorrow at

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

215. Thomas G. Bush et al, Trustees &c., Plffs in Error, vs. F. M. Elwell, Jr.

216. Thomas G. Bush et al, Trustees &c., Plffs in Error, vs. Elliott Car Company.

The argument of these cases was continued by Mr. James H. Beal, of counsel for the plaintiffs in error, and Mr. Amos E. Goodhue, of counsel for the defendants in error, and concluded by Mr. George D. Lancaster, of counsel for the plaintiffs in error.

217. Joseph Nagamab, Appellant, vs. Ethan A. Hitchcock, Secretary

This cause was argued by Mr. Tracy L. Jeffords of counsel for the appel-

C. Pollock, of Counsel for the appellee.)

215. Thomas N. Hulbert, Plff in Err.
vs.
The City of Chicago.

This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr. George W. Wilbur, of Counsel for the plaintiff in error, and Mr. James Hamilton Lewis, of Counsel for the defendant in error.

214. Tomas C. Gutierrez et al., Appellants,
vs.
The Territory of New Mexico ex rel. Thomas J. Curran et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. B. Childers, of Counsel for the appellants, and Mr. Frank W. Clancy, of Counsel for the appellee.

253 Mishkah Boom Company, Appellant,
vs.
The United States.

The argument of this cause was commenced by Mr. Austin E. Griffiths, of Counsel for the appellant, and continued by Mr. Assistant to the Attorney General Purdy, of Counsel for the appellee, and Mr. Austin E. Griffiths, of Counsel for the appellant.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Thursday, April 11th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. H. Bonynge it is ordered that Albert Smith, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Hitz it is ordered that E. Hilton Jackson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

969. The United States, Appellant, vs. The American Sugar Refining Company of New York. On consideration of the motion for leave of Counsel for certain interested parties to file briefs herein, it is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

964. Lonicias M. Lawson et al., Petitioners vs. United States Mining Co. It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of Counsel.

253. Shikkah Broom Company, Appellant, vs. The United States. The argument of this cause was concluded by Mr. Austin E. Griffiths, of Counsel for the appellant, and leave was granted Counsel for the appellee to file an additional brief.

256. The Merchants National Bank of Cincinnati, Plff in Error, vs. Theresa J. Wehrmann, Executrix, et al. This cause was argued by Mr. W. C. Herron of Counsel for the plaintiff in error, and Mr. C. Bentley Matthews, of Counsel for the defendants in error.

255. The New York Foundling Hospital, Appellant, vs. John C. Gatti, the appellee.

This cause was argued by Mr. D. Cady Herrick, of counsel for the appellant, and Mr. [illegible] Bennett, of counsel for

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 27th, 1906.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John N. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. T. W. Duke it is ordered that Reagan Houston, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. H. Piles it is ordered that Pierre P. Perry, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr.

Esquire, of Monroe, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. Oscar H. Underwood it is ordered that Tyler Gaston, Esquire, of Birmingham, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. 5. Thomas G. Bush et al, Trustees, Plffs in Error, vs. J. M. Elliott, Jr.

No. 6. Thomas G. Bush et al, Trustees, Plffs in Error, vs. Elliott Car Company.

On motion of Mr. Amos E. Goodhue, of counsel for the defendants in error, leave is hereby granted him to file an additional brief, in these cases.

No. 66. P. O. Cox et al., Plffs in Error, vs. The State of Texas.

No. 67. P. O. Cox et al., Plffs in Error, vs. W. B. Thompson.

These cases were argued by Mr. J. C. McReynolds, of counsel for the plaintiffs in error, and submitted on a printed argument by Mr. C. K. Bell, of counsel for the defendants in error.

Friday, April 27th, 1906, Continued.

268. Ayer & Lord Tie Company, Plff in Error, vs. The Commonwealth of Kentucky by Rand A. Lucas, Revenue Agent. This cause was argued by Mr. C. E. Kremer, of counsel, for the plaintiff in error, and Mr. N. B. Hays, of counsel for the defendant in error.

652. Franklin Sugar Refining Co., Appellant, vs. The United States. On motion of Mr. John G. Johnson, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with Case No. 769, as one case.

769. The United States, Appellant, vs. The American Sugar Refining Co., of New York, et al.

652. Franklin Sugar Refining Co., Appellant, vs. The United States. These cases were argued by Mr. Solicitor General Hoyt, of counsel for the United States, and Mr. John G. Johnson, of counsel for the Refining Companies, and leave was granted counsel to file additional briefs within one week.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 30th, 1906

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Oscar W. Underwood it is ordered that James Trotter, Esquire, of Bessemer, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Sullivan it is ordered that Edgar T. Benjamin and Peter S. Maher, Esquires, of Boston, State of Massachusetts, be admitted to practice, as attorneys and counsellors of this Court and, they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. A. Henderson it is ordered that James J. Mans, Esquire, of Sapulpa, Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Needham it is ordered that Herbert Noble, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. W. Bonynge it is ordered that Frederick H. Randall, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger Foster it is ordered that James A. Allen, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Dick it is ordered that Charles H. Loble, Esquire, of Akron, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States, Appellant, } Appeal from the Court of Claims.
227. v.
The Milliken Imprinting Company.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter judgment for The United States.

Per Mr. Justice Holmes.

Robert Sawyer and Arthur Adams, Plffs. in Error } In Error to the Circuit Court of the United States for the Eastern District of North Carolina.
553 v.
The United States.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Eastern District of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice Peckham.

Dissenting:
Mr. Justice White.

Monday, April 30th, 1906, Continued.

213. First National Bank of Baltimore, Petitioner, vs. William A. Stacke, Trustee of C.R. Baird & Company, Bankrupts, On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the District Court of the United States for the Western District of Virginia.

Per Mr. Justice Brown.

Dissenting:
Mr. Justice Harlan,
Mr. Justice White, and
Mr. Justice Peckham.

214. Henry K. McHarg and A.A. Phlegar, Receivers of Virginia Iron, Coal & Coke Company, et al., Petitioners, vs. William A. Stacke, Trustee of C.R. Baird & Company, Bankrupts. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

record from the United States Circuit Court of Appeals for the Fourth Circuit and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Virginia.

Per Mr. Justice Brewer

Dissenting:
Mr. Justice Harlan
Mr. Justice White and
Mr. Justice Peckham

E. L. Whitney, Warden of the Idaho State Penitentiary, Appellant, v. George Dick. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

No. 41.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel. On consideration whereof It is now here ordered, adjudged, and decreed, by this Court that this appeal be, and the same, is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brewer

S. L. Whitney, Warden of the Idaho State Penitentiary,
Petitioner,
vs.
George Dick.

In writ of Certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

255.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel.

On consideration whereof It is now here ordered and adjudged by this Court that the order of the said United States Circuit Court of Appeals in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court of Appeals, with directions to quash the writ of certiorari and dismiss the petition.

Per Mr. Justice Brewer.

The United States, Appellant,
vs.
The Cherokee Nation.

3116.

The Eastern Cherokees, Appellants,
vs.
The Cherokee Nation and The United States.

Appeals from the Court of Claims.

347.

The Cherokee Nation, Appellant,
vs.
The United States.

348.

This cause came on to be heard on the transcript of the record from the Court of Claims, on separate ap-

tion whereof, It is now here ordered and adjudged by this Court that the second subdivision of the fourth paragraph of the decree of the said Court of Claims in this cause be, modified so as to direct the distribution to be made to the Eastern Cherokees as individuals, whether east or west of the Mississippi river, parties to the treaties of 1835-36 and 1846, and exclusive of the Old Settlers; and, as so modified, be, and the same is, hereby, affirmed.

Per Mr. Chief Justice [illegible]

647. Bainbridge N. Burdick, Petitioner, vs. William Dillon et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals, for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice [illegible]

675. Philadelphia & Reading Railway Company, Lessee of the Tug "International", Petitioner, vs. Benjamin D. Meleh, Master of the Yacht "Venture", et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

679. Alvin J. Garlock et al., Petitioners. vs. James Bennett Forsyth. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

681. Semet Solvay Company, Petitioner, vs. John F. Wilcox. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

687. Charles Kelly, Petitioner, vs. The American Bank Kenilworth, Henry A. St. Clair, Master &c. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice [illegible]

692. Alice E. Van Epps, Administratrix of the estate of Edmund Victory, deceased, Petitioner, vs. The United Box Board and Paper Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel, thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice [illegible]

699. Exeter Hebster & Co., Petitioners, v. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

700. Amanda S. Whitfield et al., Petitioners, v. Aetna Life Insurance Company of Hartford, Connecticut. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

704. The Goat Skin Sheepskin Import Company, Petitioners, v. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

705. Oxford & Coast Line Railroad Company, Petitioner, vs. Union Bank of Richmond, Virginia. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is, hereby, denied.

Per Mr. Chief Justice Fuller.

706. Oxford & Coast Line Railroad Company, Petitioner, vs. Union Bank of Richmond, Virginia. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of coun

by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

698.

710. William E. Barber, Claimant of the Steam Tug "Flushing" &c., Petitioner, vs. Bernard Guinan, On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Second Cir.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

702.

711. William E. Barber, Claimant of the Steam Tug "Flushing" &c., Petitioner vs. Michael F. Kilfoyle, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Henry E. Frankenberg Company, Petitioner, v. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

In consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice [illegible]

The United States, Petitioner, v. J. Falk & Brother. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

In consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice [illegible]

Order.

It is ordered by the Court that all petitions for writs of certiorari filed before May 7th, 1906, be

contrary be shown.
-Per Mr. Chief Justice Fuller.

708. The United States, Appellant, vs. The William Cramp & Sons Ship and Engine Building Company. Mr. Solicitor-General Hoyt submitted to the consideration of the Court a motion to advance these cases.

709. The William Cramp & Sons Ship and Engine Building Company, Appellant, vs. The United States.

511. Eau Claire National Bank, (Aff'in Error, vs. Ralph W. Jackman, Trustee &c. Mr. J. J. Jenkins, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a suggestion of a diminution of the record and motion for a writ of certiorari in this cause.)

716. Albert N. Brown et al., Petitioners, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. H. F. Riggs, in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

The State of Kansas, Complainant, vs. The United States et al. Mr. C. C. Coleman, of counsel for the com-

to the consideration of the Court a motion for leave, to file the bill of complaint herein;

728. The Meniere Land & Lumber Co., Petitioner, v. Sugar Brothers & Co., Limited et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Allan Shalers, in support of the same.

725. Louis A. Cella et al., Petitioners, v. James Brown et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Henry M. Bond and Mr. H. C. Marshall, in support of the same.

643. The Goodyear Shoe Machinery Company of Portland, Maine, Petitioner, v. Christian Dancel et al., Administrator. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edwards H. Fields and Mr. Louis D. Brandeis, in support of the same, and Mr. Roger Foster and Mr. J. Hall Berg, in opposition thereto.

726. Mrs. Mary Jones, Petitioner, v. The Southern Pacific Co. The petition for a writ of certiorari herein was submitted to the

Court by Mr. E. Howard McCaleb, Jr., and Mr. E. Howard McCaleb, in support of the same.

733. Western Assurance Co. of Toronto, Canada, Petitioners, vs. Morgan City Improvement Company, Limited. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Lamar C. Quintero and Mr. Harry H. Hall, in support of the same.

297. The Dakota, Wyoming & Missouri River R.R. Co., et al., Plffs in Error, vs. Charles D. Crouch et al., Trustees. Mr. Frederick C. Bryan, of counsel for the defendants in error, submitted to the consideration of the Court a suggestion of diminution of the record and motion for writ of certiorari in this cause.

631. W. E. Trenchard et al., Appellants, vs. P. Kell, and C. G. Cobbs, Trustee. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Robert M. Hughes and Mr. F. H. Busbee, in support of the same, and Mr. Herbert Noble and Mr. W. W. Fuller, in opposition thereto.

700. Metropolitan Life Insurance Company Petitioner, v. Camilla B. Talbott, Admrx. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Thomas E. Locke, in support of the same.

793. Charles M. Newton, Receiver, et al., Petitioners, v. The Choctaw & Memphis Railroad Company et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. G. B. Rose, Mr. W. M. Rose, Mr. W. E. Hemingway and Mr. John McClure, in support of the same, and Mr. H. P. Evans, Mr. J. M. Moore, and Mr. M. A. Low, in opposition thereto.

Proclamation being made the Court is adjourned until Monday, May 14th next at twelve o'clock noon.

Monday May 14th. 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James D. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that C. C. Christensen, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. K. Watson it is ordered that Capell L. Weems, Esquire, of St. Clairsville, and W. V. Mallon, Esquire, of Woodsfield, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C.A. Culberson it is ordered that Robert V. Davidson, Esquire, of Galveston, State of Texas, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph P. Cooper it is ordered that Lionel, L. Hargis, Esquire, of Manila, Philippine Islands, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wallace Green it is ordered that Henry D. Williams, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R.D. Benedict it is ordered that Charles M. Hough, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J.J. Darlington it is ordered that George H. Williams, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. Andrew Wilson it is ordered that S. L. H. Alvard, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp it is ordered that Frederick W. Hollman, Esquire, of Saint Paul, and Charles M. O'Neill, Esquire, of Sherburn, State of Minnesota, and Arthur G. Bush, Esquire, of Davenport, State of Iowa, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis A. Pradt it is ordered that Henry L. Loren, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. S. Browne it is ordered that William O. Cromwell, Esquire, of Enid, and Robert E. Wood, Esquire, of Shawnee, Territory of Oklahoma, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Kingham, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

728. The United States, Petitioners, vs. Emil Dieckerhoff, Adolph Erbslob, Rudolph Erbslob, and Ludwig Erbslob, composing the firm of Dieckerhoff, Raffloer & Co., et al. } On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed and the judgment of the Circuit Court of the United States for the Southern District of New York be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court.

Per Mr. Justice Day.

(Mr. Justice Brewer took no part in the decision of this case.)

237 Peter Pearson and Enoch Pearson, Petitioners, vs. William Williams, United States Commissioner of Immigration at the Port of New York. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Harlan,
Mr. Justice Brewer, and
Mr. Justice Peckham.

254 Oscar D. Halsell, Oscar G. Lee, Leonidas L. Land, Daniel P. Wright and Jean A. Everest, Appellants, vs. William C. Renfrow and R. J. Edwards. Appeal from the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of

of Oklahoma, and was argued by Counsel. On Consideration whereof It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with Costs.

Per Mr. Justice Holmes.

256. The Merchants National, Bank of Cincinnati, Plaintiff in Error, v. Theresa J. Hehmann, Executrix of William F. Hehmann, deceased (et al.) In Error to the Supreme Court of the State of Ohio

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by Counsel. On Consideration whereof, It is now here ordered and adjudged, by this Court that the judgment of the said Supreme Court in this cause be, and the same is, hereby, reversed with Costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Harlan,
Mr. Justice Brewer,
Mr. Justice McKenna.

Monday, May 14th 1906. Continued.

916. Gila Bend Reservoir and Irrigation Company, Appellant, vs. The Gila Water Company. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

918. Thomas N. Hulbert, Plff in Error, vs. The City of Chicago, In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice McKenna.

178. Security Mutual Life Insurance Co. Aff'g in Error, vs. Henry R. Prewitt, Insurance Commissioner of the State of Kentucky. (In consideration of the petition for rehearing in these cases) It is now here ordered by the Court that said petition be, and the same are, hereby, granted.

182. The Travelers Insurance Company of Hartford, Connecticut, Aff'g in Error, vs. Henry R. Prewitt, Insurance Commissioner of the State of Kentucky.

It is further ordered that the judgments entered in these cases on February 19th, 1906, be, and the same are hereby, vacated and set aside.

Per Mr. Justice Peckham.

178. Security Mutual Life Insurance Company, Aff'g in Error, vs. Henry R. Prewitt, Insurance Commissioner of the State of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

Dissenting: Mr. Justice Day and

181. The Travelers Insurance Company of Hartford, Connecticut, Plff in Error, v. Henry R. Prewitt, Insurance Commissioner of the State of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by Counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

Dissenting:
Mr. Justice Day and
Mr. Justice Holmes.

233. The Texas & Pacific Railway Company, Plff in Error, v. Mugg & Dryden, a Partnership Composed of J. A. Mugg and J. A. Dryden. In Error to the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of

hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Court of Civil Appeals for further proceedings not inconsistent with the opinion of this Court.

Mr. Justice Hunt.

Joseph J. Darlington and George H. Gray, Executors of Philip A. Tracy, deceased, Appellants, vs. Cole A. Dunner, Wilmer Dunner, Ashby Dunner, and Lunette Dunner by Wilmer Dunner, Next Friend. } Appeal from the Court of Appeals of the District of Columbia.

No. 176.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the decree of the Supreme Court of the District of Columbia and to remand the cause to that Court with directions to enter a decree in conformity with the opinion of this Court. It is further ordered, adjudged, and decreed that the costs in this Court as well as in both the Courts below be paid by the Complainants and before distribution of the sum for

234. The United States, Petitioner, v. The Cornell Steamboat Company. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Brown.

Dissenting:
Mr. Chief Justice Fuller.

21, Original. Ex parte In the matter of James Lincoln, Petitioner. On consideration of the petition for a writ of habeas corpus herein, of the return to the rule to show cause, and of the argument of counsel, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Brewer.

207. Robert Devine, Jesse D. Hunter, Ira Hunter et al., vs. The City of Los Angeles, Appellants, Appeal from the Circuit Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller

253. Wishkah Boom Company, vs. The United States, Appellant, Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed, by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller

511. The Clair National Bank, Aff'ts in Error, v. Ralph H. Jackman, Trustee. On consideration of the suggestion of diminution of the record and motion for a writ of certiorari in this cause, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded, the record presented with the motion to stand as a return to the writ.

Per Mr. Chief Justice Fuller.

631. W. E. Trenchard, C. P. Westcott, C. N. Guion, Trustee, et al, Appellants, v. P. Kell and C. G. Peebles, Trustee. Appeal from the Circuit Court of the United States for the Eastern District of North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The Goodyear Shoe Machinery Company of Portland, Maine,) Petitioner,
vs.
Christian Dineen and Mary Dineen, as Administrators of Christian Dineen, deceased.)

On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Metropolitan Life Insurance Company, Petitioner,
vs.
700. Camilla B. Talbott, Administratrix of William S. Talbott, deceased.)

On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

708. The United States, Appellant, vs. The William Cramp & Sons Ship and Engine Building Company. On Consideration of the motion to advance these cases, it is now here ordered by the Court that said motion be and the same is hereby denied, without prejudice.

709. The William Cramp & Sons Ship and Engine Building Company, Appellant, vs. The United States.

(per Mr. Chief Justice Fuller.)

716. Albert N. Brown et al., Petitioners, vs. The United States. On petition for writ of certiorari, to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari, to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

723. Charles M. Newton, Receiver &c., et al., Petitioners, vs. The Choctaw & Memphis Railroad Company et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

795. Louis A. Collet et al., Petitioners vs. James Brown et al. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel, ~~thereupon had, as well~~ in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

796. Mrs. Mary Jones, Petitioner, vs. The Southern Pacific Company. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

718.	The Meniere Land & Lumber Company, Petitioner, vs. Ziggar Brothers Company, Limited, et al.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

733.	Western Assurance Company of Toronto, Canada, Petitioner, vs. Morgan City Improvement Company, Limited.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

Order.)

It is ordered by the Court that the Bond presented by the Marshal for the performance of his duties be filed and recorded as follows.

"1838-6.

Know all men by these presents. That we John Montgomery Wright of Louisville, Kentucky and The United States Fidelity and Guaranty Company a corporation created and existing under the laws of the State of Maryland, are held and firmly bound unto The United States of America in the penal sum of twenty thousand dollars, lawful money of the United States, to be paid to the said United States, or their certain attorney; to which payment well and truly to be made we bind ourselves, our and each of our heirs, executors and administrators and assigns, jointly and severally, firmly by these presents; sealed with our seals and dated this 30th day of April 1906.

Whereas, the above bounden John Montgomery Wright hath been appointed Marshal of the Supreme Court of the United States, Now, therefore, the condition of the above obligation is such that if the said John Montgomery Wright shall faithfully discharge the duties of his said office and shall well and faithfully keep, disburse, pay over and account for, according to law, all moneys that may come into his hands as such Marshal aforesaid, then this obligation to be void; otherwise to remain in full force and virtue in law.

John Montgomery Wright,
Frank K. Green,
M. C. Tompkins,
As to surety
B. S. Weyforth,
Wm. O. Schilling.

The United States Fidelity
and Guaranty Co. (Seal)
Richard D. Lang
Vice President.
Albert N. Buck
Assistant Secretary.

Washington, D.C.
May 3d, 1906.

The within and foregoing bond is hereby approved,
as to form, the sufficiency of the amount thereof, and
the sufficiency of the sureties thereon.
Melville W. Fuller,
Chief Justice of the United States."

The United States,
10, Original. vs. Complainant,
The State of Michigan.

On motion of Mr. Solicitor
General Hoyt, leave is
hereby granted to file
a stipulation of counsel
to compute
as to the fee of the Special Commissioner appointed,
interest on the fund in dispute in this cause.

The United States,
10, Original. vs. Complainant,
The State of Michigan.

In pursuance of the stipu-
lation of counsel for the
respective parties to this
cause this day filed,

It is now here ordered by the Court that the fee of the
Special Commissioner appointed to compute interest
on the fund in dispute be, and the same is hereby, fixed
at the sum of five hundred dollars.

Per Mr. Chief Justice Fuller.

The State of Missouri, Complainant,
11, Original. vs.
The State of Illinois and The Sanitary District of Chicago

Wm. G. L. Lindley, of Counsel for The Sanitary District of Chicago, submitted to the consideration of the Court a motion for the allowance and taxation of costs in this cause, and leave was granted Counsel to file brief thereon within one week.

The State of Louisiana, Complainant,
11, Original. vs.
The State of Mississippi.

The motion to amend the decree herein as to costs was submitted to the consideration of the Court by Mr. Hannis Taylor, in support of the same, and Mr. John Dymond, Jr., Mr. Wallace Gerion and Mr. F. G. Fechaic, in opposition thereto.

The Chicago, Rock Island & Pacific Railway Company, Plaintiff in Error,
593. vs.
D. Roy Plumford.

The motion to set aside the order granting a supersedeas in this cause was submitted to the consideration of the Court by Mr. A. G. Bush and Mr. N. D. Ely, in support of the same, and Mr. Robert Mather, in opposition thereto.

The Eagle Ore Sampling Co., Petitioner,
448. vs.
Duncan Nicholson, Trustee.

On motion of Mr. H. M. Teller, of Counsel for the petitioner, it is ordered by the Court

and the same is hereby continued until October 9th next.

316. The United States, Appellant, vs. The Cherokee Nation,
317. The Eastern Cherokees, Appellants, vs. The Cherokee Nation et al.
318. The Cherokee Nation, Appellant, vs. The United States.

On motion of Mr. Robert L. Owen, of counsel for The Eastern Cherokees, leave is hereby granted the Clerk to issue the mandate in these cases.

740. The Great Western Natural Gas & Oil Co., et al., vs. Leo Oppenheimer, Receiver &c. Petitioners.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. H. N. Batton, in support of the same, and Mr. Abraham L. Elkus, in opposition thereto.

750. Mary V. Cortelyon et al., Administrators &c., et al., vs. Charles Evan Johnson & Co. Petitioners.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Samuel O. Edmonds and Mr. Edmund Wetmore, in support of the same, and Mr. James P. Chambers, in opposition thereto.

514. Elbert R. Robinson, vs. The American Car and Foundry Co., Petitioner.

On motion of Mr. J. Grant Lucas, of counsel for the petitioner, it is ordered by the Court that the petition

herein be, and the same is hereby continued until October 9th next.

514. Elbert R. Robinson, Petitioner, vs. The American Car and Foundry Co. — Mr. J. Gray Lucas of counsel for the petitioner submitted to the consideration of the Court a motion to amend the record herein.

755. Marcus K. Billerman et al. Petitioners vs. Louisville & Nashville R. R. Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Louis Marshall, Mr. Henry L. Lazarus and Mr. Moritz Rosenthal, in support of the same, and Mr. George Denegre and Mr. J. P. Blair, in opposition thereto.

727. Henry B. F. Macfarland et al. Commissioners &c. Petitioners vs. LeRoy D. Haller et al. — The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. E. N. Thomas, in support of the same.

670. Samuel N. Leathe, Plff in Error, vs. Edward L. Thomas — The motions to dismiss or affirm in this cause were submitted to the consideration of the

in propria persona, and Mr. James S. Har
Mr. John Mayn and Harlan, in opposition

William A. Force,
vs. Petitioner,
7412. Sawyer-Boss Manufacturing
Company et al.,

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Court on printed arguments by Mr. H. E.
in support of the same, and Mr. H. A. Wes
position thereto.

Ex parte In the matter of
Abram C. Wisner,
23, Original. Petitioner,

Ex parte In the matter of
Abram C. Wisner,
24, Original. Petitioner,

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Mr. James C. Jones, and Mr. N. S. Meearney, o
for the petitioner, and Mr. John M. Moore, Mr
C. Eliot, and Mr. George H. Williams, of cou
the respondent.

Jose Antonio Fernandez
y Perez, Plff in Error,
1. vs.
Jose Perez y Fernandez.

Mr. William R.
behalf of counse
plaintiff in erro
mitted to the C
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for an order directing the District Court to issue a

restitution in this cause.

753. Iron Clad Manufacturing Co., Petitioner, vs. Orange County Milk Association. The petition for writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Andrew Foulds Jr. in support of the same, and Mr. Henry D. Williams and Mr. Richard L. Sweezy in opposition thereto.

754. Iron Clad Manufacturing Co., Petitioner, vs. Dairymens Manufacturing Co.

736. Henry P. Dodge et al., Petitioners, vs. The Woodville White Lime Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. William H. Dodge, in support of the same.

113. Ann Francis, Plff in Error, vs. Peter J. Francis et al. Mr. N. P. Cadwallader, for the plaintiff in Error, submitted to the consideration of the Court a motion to vacate the judgment of dismissal, entered herein on December 6, 1905, and to restore the case to the docket.

749. Erie Railroad Co., Claimant &c., Petitioner, vs. The petition for a writ of certiorari

mitted to the consideration of the Court on printed arguments by Mr. Herbert Green, in support of the same, and Mr. Henry Galbraith Ward and Mr. Charles S. Haight, in opposition thereto.

751. George Desions et al., Petitioners, v. La Compagnie Generale Transatlantique, &c. &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. R. D. Benedict, Mr. Joseph H. Choate, and Mr. A. Gordon Murray, in support of the same, and leave was granted Mr. Edward K. Jones, of counsel for the respondents to file a statement within three days.

511. Eau Claire National Bank, Plff in Error, v. Ralph H. Jeffris, Trustee, &c.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. William P. Bartlett, in support of the same, and Mr. Burr H. Jones, in opposition thereto.

685. Francisco Dones, Appellant, v. Jose Urrutia, Warden, &c.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Solicitor General Hoyt, of counsel for the appellee, and leave was granted Counsel for the appellant to file a printed brief within one week.

757. The Dne Steamshipping Company Limited, Petitioner, vs. The Procedia Trading Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Parker Kirlin, and Mr. Charles R. Hickox, in support of the same, and Mr. Charles S. Haight, in opposition thereto.

756. D. S. Osborne et al., Trustees of Carrick Academy, Plaintiffs in Error, vs. R. A. Clark and The Winchester Normal College. Mr. Thomas H. Clark, of counsel for the defendants in error, having filed in open Court the following Certificate to wit:

"In the Supreme Court of Tennessee,
Office of the Clerk.

D. S. Osborne et al., Trustees of Carrick Academy, Plaintiffs in Error,
vs.
R. A. Clark et al., Defendants in Error.

I, Joe J. Roach, Clerk of the Supreme Court of the State of Tennessee, for the Middle Division thereof, hereby certify that in a suit in equity in said Court, brought by D. S. Osborne, J. K. P. Carroll, A. J. Barnes and L. L. Baker, suing as Trustees of Carrick Academy, of the County of Franklin, a body politic and corporate, and in their own right as citizens and tax payers of

fund and of the School Children of said County, Complainants, against R. A. Clark and the Winchester Normal College, a body politic and corporate, defendants, the purpose of which was to invalidate a certain lease dated December 29, 1881, by the terms of which the then trustees of the said Carrick Academy undertook to lease the academy property to the said Winchester Normal College for a period of fifty years, and to recover the possession of said property for the complainants as such trustees, and to have said property sold and the proceeds thereof paid into the treasury of Franklin County, and for other and general relief, the said Supreme Court of Tennessee, on the 22nd day of March, A.D. 1904, in a final decree found and held that the said lease was valid and effective, and that the Complainants were not entitled to any of the relief sought by them in their said suit, and sustained a demurrer of the said defendants to said bill, and dismissed the said bill at the cost of complainants; and that on the 11th day of November, A.D. 1905, at the instance of complainants to said suit hereinabove named, being the plaintiffs in error, the Honorable W. D. Beard, Chief Justice of the said the Supreme Court of Tennessee, granted to complainants a writ of error for the review of said decree by the Supreme Court of the United States, and that said writ of error was on that day issued from the Clerk's Office of the United States Circuit Court for the Middle District of Tennessee, which writ of error was by its terms returnable

Supreme Court of the United States within thirty days from the date thereof, to wit, on or before December 11th A.D. 1905; and that on or about the same day a bond in security for the costs upon said writ of error, and a citation for the said return day were approved, and signed by the said the Honorable Chief Justice of the Supreme Court of Tennessee.

In testimony whereof I have caused the seal of the said Court to be hereunto affixed at the City of Nashville in the Middle Division of Tennessee, this the 11th day of May, A.D. 1906, and of the Independence of the United States of America the one hundred and thirtieth year.)

(Seal)

Joe J. Roach
Clerk of the Supreme Court of Tennessee for the Middle Division thereof."

Proclamation being made & Court is adjourned,

Now the Court to docket and dismiss this cause, pursuant to the 9th Rule; and it appearing to the Court that the plaintiffs in error have failed to have their cause filed and docketed in conformity with the rules of this Court. It is, now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Tennessee be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court

Monday, May 21st, 1906.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Frank E. Hammond, Esquire, of Hamburg, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. F. Colladay it is ordered that Allen Clare Malloy, Esquire, of Hutchinson, State of Kansas, Rudolph L. Golze, Esquire, of Philadelphia, State of Pennsylvania, and Frank N. Bissell, Esquire, of Binghamton, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. J. Hopkins it is ordered that Levi Davis, Esquire of Alton, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. P. B. Sands it is ordered that Anson S. Taylor, Esquire, and Charles H. Ennis, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. R. Mann it is ordered that Carl A. Vogel, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles L. Frailey it is ordered that D. Laurence Groner and Tazewell Taylor, Esquires, of Norfolk, State of Virginia, and Charles H. Burr, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Abraham

diana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

133. The Mayor and Aldermen of the City of Vicksburg, Appellants, vs. The Vicksburg Water Works Company. Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, modified in respect to granting a mandatory injunction as to the sewer mentioned therein, and, as so modified, be, and the same is hereby, affirmed with costs.

(per Mr. Justice Day.)

Dissenting: Mr. Justice Harlan.)

945.

947. Joseph Naganab, Appellant, vs. Ethan Allen Hitchcock, Secretary of the Interior. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Co-

Alabama, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court appealed in this Cause be, and the same is hereby affirmed with Costs.

Per Mr. Justice Day.

Thomas L. Bush, Thomas A. Gillespie & Lionel Hulbert as Trustees in Bankruptcy of The Southern Car Foundry Company, a Bankrupt, Appellants,
vs.
J. M. Elliott, Etc.

In Error to the Circuit Court of the United States for the Northern District of Alabama.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this Cause be, and the same is hereby, reversed with costs; and that this Cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion.

Per Mr. Justice Day.

Thomas G. Bush, Thomas A. Gillispie and Orion L. Hurlbut, as Trustees in bankruptcy of The Southern Car and Foundry Company, a bankrupt,
Plffs in Error,
v.
Elliott-Car Company.

In Error to the Circuit Court of the United States for the Northern District of Alabama.

No. 966.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with law.

Per Mr. Justice Day.

P. O. Cox, Sam. Levy and M. M. Evans,
Plffs in Error,
v.
The State of Texas.

In Error to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas.

No. 967.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in

cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Harlan,
Mr. Justice Brewer and
Mr. Justice Brown.

F. O. Cox, Sam. Levy and
W. M. Evans,
vs. (Appts in Error,
H. B. Thompson.)

In Error to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Justice Day.

Dissenting:
Mr. Justice Harlan,
Mr. Justice Brewer and
Mr. Justice Brown.

234. Josiah Milland, Appellant, vs. Ellis N. Roberts, Treasurer of the United States, et al. } Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

(Mr. Justice Harlan concurs in the result)

235. Santa Fe Pacific Railroad Company, vs. Laurete Holmes. } In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of California

Per Mr. Justice McKenna.

Mr. Justice Brewer dissenting.

Ayer & Lord Tie Company, Plff in Error, vs. The Commonwealth of Kentucky by Frank A. Lucas, Revenue Agent of said Commonwealth. — In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice White.

Harriet P. James, Administratrix of Charles P. James, deceased, vs. The United States. — Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of

the petitioner.

Per Mr Justice White.

539. Joseph Ralph Burton, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr Justice Harlan,
(Mr Justice McKenna concurring specially.)
Dissenting:
Mr Justice Brewer,
Mr Justice White, and
Mr Justice Peckham.

230. Antonio Ortega, Plff in Error, vs. Angela Lara. In Error to the District Court of the United States for the District of Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed

for the want of jurisdiction.)

Per Mr. Chief Justice White.

The Interstate Commerce Commission, Appellant, vs. The Lake Shore & Michigan Southern Railway Company et al. } Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and was argued by counsel. On consideration whereof the Court being equally divided in opinion, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Chief Justice White.

(Mr. Justice Holmes took no part in the consideration of this case.)

The State of Georgia, Complainant, vs. The Tennessee Copper Co. et al. } It is ordered by the Court that the complainant and defendants be, and they are hereby, granted leave to file additional affidavits on or before October 1st next.

Per Mr. Chief Justice White.

Tomas C. Gutierrez and Severo Sanchez, Appellants, vs. The Territory of New Mexico ex rel. Thomas J. Curran et al. Appeal from the Supreme Court of the Territory of New Mexico.

No. 1.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

113.

The State of Kansas, Complainant, vs. The United States et al. On consideration of the motion for leave to file a bill of complaint herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted, without prejudice, and that process wede returnable on October 8th next.

Per Mr. Chief Justice Fuller.

No. 25, Original.

514.

The Dakota, Wyoming & Missouri River Railroad Co. et al., Plffs in Error, vs. Charles D. Crouch and Francis Sieberling, Trustees. On consideration of the suggestion of diminution of the record and motion for a writ of certiorari in this cause, It is now here ordered by the Court that said motion be and the same is hereby denied.

No. 1177.

670

Per Mr. Chief Justice Fuller.

Jose Antonio Fernandez y Perez, Plff in Error,
vs.
Jose Perez y Fernandez

In consideration of the motion for an order directing the District Court to issue a writ of restitution herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied, with liberty to apply to the District Court for such order.

Per Mr. Chief Justice Fuller

John Francis, Plff in Error,
vs.
Peter J. Francis et al.

In consideration of the motion to vacate the judgment of dismissal entered in this cause on December 6, 1905, and to restore the case to the docket, It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr. Chief Justice Fuller

Albert R. Robinson, Petitioner,
vs.
The American Car & Foundry Company.

In consideration of the motion to amend the record herein, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller

Samuel H. Searle, Plff in Error,
vs.

It is ordered by the Court that the further con-

to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

710.

797. Henry B. McFarland, Henry L. West, and John Biddle, Commissioners of the District of Columbia, Petitioners, vs. Le Roy D. Walter et al.

On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

712.

736. Henry P. Dodge et al., Petitioners, vs. The Woodville White Lime Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The Great Western Natural Gas & Oil Company et al. vs. Leo Oppenheimer Receiver in Bankruptcy of The Muncie Pulp Company. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

William N. Force vs. Lawyer-Boys Manufacturing Company et al. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

749. Erie Railroad Company, Claimant of the Ferryboat "Susquehanna", Petitioner, v. The Pennsylvania Railroad Company et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

751.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

750. Mary V. Cortelyou and James G. Cortelyou, Administrators of the estate of John G. Cortelyou, deceased, et al., Petitioners, v. Charles Ener Johnson & Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

752.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

George Dezions, H. C. Perry, Admr of Kate M. Perry, et al., Petitioners, v. La Compagnie Generale Transatlantique, owners of the Steamship "La Bourgogne"

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

The Acme Steamshipping Company, Limited, Petitioner, v. The Porcelain Trading Company

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

753. Iron Clad Manufacturing Company, Petitioner, vs. Orange County Milk Association. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

754. Iron Clad Manufacturing Company, Petitioner, vs. Dairymens Manufacturing Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

755. Marcus K. Billerman dal. vs. Louisville & Nashville Rail Road Company. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice [illegible]

534. Joseph Ralph Burton, Plff in Error, vs. The United States. On motion of Mr. J. M. Thurston, in behalf of Counsel for the plaintiff in error, leave is hereby granted to present a petition for rehearing herein within sixty days.

759. Frank D. Yell, Plff in Error, vs. The Judges of the Circuit Court of the United States for the Eastern District of Virginia. Motions to dismiss or affirm or to vacate the supersedeas herein and to suspend the rule as to notice of submission of motions to dismiss or affirm were submitted to the consideration of the Court on the record and printed argument by

Mr. Hampton L. Carson, in support of the same, and leave was granted Counsel for the Plaintiff in error to file brief in opposition thereto within three days.

Ex parte In the matter of James Hamilton Lewis, Petitioner. — Mr. Holmes Conrad, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of certiorari herein.

761. Ozan Lumber Company, Petitioner, vs. Union County National Bank of Liberty, Indiana. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. U. M. Rose and Mr. D. C. McRae, in support of the same, and Mr. Morris M. Cohn, in opposition thereto.

606. William P. Haggonjer et al., Petitioners, vs. The Bank of America et al. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. H. O. Davis, in support of the same, and Mr. Ben M. Terrell, in opposition thereto.

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John T. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Walter Lange, Esquire, of New York City, Henry S. Spackman, Esquire, of Philadelphia, State of Pennsylvania, and Adolph Raphael, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. A. Herbert it is ordered that John R. Venis, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. H. Norris it is ordered that John J. McCarthy, Esquire, of Ponca, State of Nebraska, and Allison D. Gibbs, Esquire, of Manila, Philippine Islands, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph F. Cooper it is ordered that E. Finley Johnson, Esquire, of Manila, Philippine Islands, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lee S. Overman it is ordered that Baldy Vinson, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. L. Minor it is ordered that H. Hall Norris, Esquire, of Baltimore, State of Maryland, and J. Theo. Ruppli, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. King it is ordered that William H.

admitted to practice as an attorney and Counsellor of this Court and he was Sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. F. Downing it is ordered that Timothy S. Hogan, Esquire, of Nelson, State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was Sworn accordingly.

On motion first made to the Court in this behalf by Mr R. H. Bonynge it is ordered that Joshua Freeman Glozier and Charles F. Potter, Esquires of Denver, and Charles H. Darrow, Esquire, of Glenwood Springs, State of Colorado, and Burton L. French, Esquire, of Moscow, State of Idaho, be admitted to practice as attorneys and Counsellors of this Court and they were Sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. K. Watson, it is ordered that Theodore C. Ayers and John Pollock, Esquires, of St. Clairsville, and George G. Jennings, Charles Samuel Buchanan, and William A. Cooke, Esquires, of Woodsfield, State of Ohio, be admitted to practice as attorneys and Counsellors of this Court and they were Sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. B. C. Brown it is ordered that John J. Thomas,

to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Maddox it is ordered that William H. Millan, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. Hilton Jackson, it is ordered that Thomas Allen, 3d, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. S. Bennet it is ordered that Charles A. Carpenter, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. G. Hamilton it is ordered that John Hurley, Esquire, of Forman, State of North Dakota, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Allan L. McDermott, Receiver, of The City & Suburban Railway of Washington,
vs. } In Error to the Court of Appeals of the District of Columbia.
No. 144. Affirmed. Charles E. Severe, by his next friend, William B. Severe.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Justice Day.

The State of Missouri, Complainant,
vs. } On consideration of the motion of the defendant the Sanitary District of Chicago for the
No. 11, Original. The State of Illinois and The Sanitary District of Chicago.

allowance and taxation of the sum of $10,146.37 as its costs in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Justice Holmes.

87. The People of the State of New York upon the relation of The New York Central & Hudson River Railroad, Company, Plff in Error, vs. Nathan L. Miller, as Comptroller of the State of New York. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with Costs.

Per Mr. Justice Holmes.

82. The People of the State of New York upon the relation of The New York Central & Hudson River Railroad, Company, Plff in Error, vs. Nathan L. Miller, as Comptroller of the State of New York. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this

is hereby, affirmed with costs.

Per Mr. Justice Holmes.

586. The People of the State of New York upon the relation of The New York Central & Hudson River Railroad, Company, Plff in Error, vs. Otto Kelsey, as Comptroller of the State of New York. In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

587. The People of the State of New York upon the relation of The New York Central & Hudson River Railroad, Company, Plff in Error, vs. Otto Kelsey, as Comptroller of the State of New York. In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

588. The People of the State of New York upon the relation of The New York Central & Hudson River Railroad Company, Plff in Error, vs. Otto Kelsey, as Comptroller of the State of New York. In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

269. The United States, Appellant, vs. The American Sugar Refining Company of New York. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to affirm the order of the Board of General Appraisers.

Per Mr. Justice McKenna.

Franklin Sugar Refining Company, Appellant, vs. The United States. 659.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice McKenna.

370. Franklin McNeill, Samuel L. Rogers, Eugene C. Beddingfield and The Greensboro Lee and Coal Company, Appellants, vs. Southern Railway Company. Appeals from the Circuit Court of the United States for the Eastern District of North Carolina.

394 Southern Railway Company, vs. Franklin McNeill, Samuel L. Rogers, Eugene C. Beddingfield and The Greensboro Lee and Coal Company. Appellant,

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, on appeal and cross-appeal, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, modified so as to adjudge the invalidity of the order complained of, restrain the institution by the defendants of suits or actions for the recovery of penalties or damages founded upon the disobedience of such order, and forbid future interferences under like circumstances, and conditions with the interstate commerce business of the railway Company, and, as so modified, be, and the same is hereby, affirmed, Costs in this Court to be paid by the defendants.

Per Mr. Justice White.

John N. McDonald, Receiver of The First National Bank of Ohama, Nebraska,
990. vs. Appellant, Appeals from the
Chauncey Dewey and Charles P. Killen, United States Cir-
Executors &c. cuit Court of Ap-
Chauncey Dewey and Charles P. Killen, peals for the
Executors &c., Appellants, Seventh Circuit.
989. vs.
John N. McDonald, Receiver of The
First National Bank of Ohama, Nebraska.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, on appeal and cross-appeal, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause so far as it holds Dewey liable for his full assessment on the twenty-five shares standing in Jewett's name be, and the same is hereby, affirmed; and in so far as it exonerated Dewey's estate from assessment upon the remaining shares to such amount as is necessary to satisfy the creditors existing at the time the transfer of the stock was made be, and the same is hereby reversed, Costs in this Court to be paid by Dewey's Executors; and that this cause be and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Illinois, for

opinion of this Court.

(Per Mr. Justice Brown.)

Dissenting:
Mr. Justice White,
Mr. Justice McKenna, and
Mr. Justice Day.

236. Thomas O'Connor, Plff in Error, vs. The State of Texas. — In Error to the Supreme Court of the State of Texas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brewer.)

111. Reuben Hodges, William R. Campit, and Wash McKinney, Plffs in Error, vs. The United States. — In Error to the District Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Arkansas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgments of the said District Court in this cause be, and the same are hereby,

this cause be, and the same is hereby, remanded to the Circuit District Court with directions to sustain the demurrer to the indictment.

(Per Mr. Justice Brewer.)

(Mr. Justice Brown dissents in the result.)

Dissenting:
Mr. Justice Harlan and
Mr. Justice Day.

Frederic H. Lincoln et al., Appellants,
vs.
The United States.

On consideration of the rearguments of these cases,

It is now here ordered by the Court that the judgments in

Warner, Evans & Company, Limited, Appellant,
vs.
The United States.

stand in these cases on April 13, 1908, stand in full force and effect.

(Per Mr. Chief Justice Fuller.)

Dissenting:
Mr. Justice White and
Mr. Justice McKenna.

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685. Francisco Dones, Appeal from the Supreme Court of Porto Rico.
vs.
Jose Urrutia Hendon of the Penitentiary of Porto Rico.

This cause came on to be heard on the transcript of the record from the Supreme Court of Porto Rico and

It is now here ordered, adjudged, and decreed by this Court that the final order of the said Supreme Court in this cause be, and the same is hereby, affirmed, with costs.

(Per Mr. Chief Justice Fuller.)

State of Louisiana, Complainant,
11, Original. vs.
State of Mississippi,

On consideration of the motion to amend the decree entered herein as to costs, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby denied.

(Per Mr. Chief Justice Fuller.)

Ex parte In the matter of James Hamilton Lewis, Petitioner.

On consideration of the motion for leave, to file a petition for a writ of certiorari, herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

Eau Claire National Bank, Plff in Error,
511. vs.
Ralph N. Jackman, Trustee.

It is ordered by the Court that the consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the record is printed or so much thereof as will

referring to the transcript.

Per Mr. Chief Justice Fuller.

606. William P. Waggoner et al., Petitioners, vs. The Bank of America et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

761. Ozan Lumber Company, Petitioner, vs. Union County National Bank of Liberty, Indiana. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

736. D. S. Osborne et al, Trustees, vs. (Plffs in Error, R. A. Clark et al.) It appearing to the Court that the order entered in this cause dismissing the writ of error pursuant to Rule 9 was improvidently entered, It is now here ordered by the Court that said order be, and the same is hereby, vacated and set aside.

(Per Mr. Chief Justice Fuller.)

96, Original. The United States of America, Complainant, vs. John F. Shipp et al.) On motion of Mr. Attorney General Moody, of Counsel for the complainant, leave is hereby granted to file an information in contempt herein.

(Per Mr. Chief Justice Fuller.)

96 Original. The United States of America, Complainant vs. John F. Shipp, Frank Jones, Matthew Galloway, C. A. Baker, T. B. Taylor, Fred Stanley, George Brown, Jeremiah Gibson, Marion Perkins, Joseph Clark, "Nick" Nolan, "Sheenie" Warner, Luther Williams, Paul Pool, William Marquette, William Beeler, Claude Powell, Charles J. Powell, "Bart" Justice, John Jones, A. Cartwright, Henry Padgett, William May, Frank Hand, John Varner and Alfred Harwood. On consideration of the information filed herein, It is now here ordered by the Court that cause be shown by the above-named defendants Judah

this Court, at the City of Washington, on Monday, October 15th, 1906, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why they and each of them should not be punished as and for a contempt of this Court.

Per Mr. Chief Justice Fuller.

State of Washington, Complainant,
19, Original. vs.
State of Oregon.

On motion of Mr. S. H. Piles, of counsel for the complainant, leave is hereby granted to file the answer of the complainant to the cross-bill of the defendant.

Arthur Steinert et al., Petitioners,
767. vs.
Joseph H. Finn.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. F. M. Czarda, in support of the same, and Mr. Adolph Bloch, in opposition thereto.

Francisco Rivera, alias Panchito, Appellant,
768 vs.
Jose Urutia, Warden of the Penitentiary of San Juan.

Mr. Solicitor General Hoyt, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Supreme Court of Porto Rico.

Court of Porto Rico, do hereby certify that in a certain cause pending in said Court entitled &c. to wit, In the Matter of Francisco Rivera, alias Panchito, Petitioner, an order was entered by said Supreme Court on the twentieth day of February, 1906, denying the prayer of said petition, and that thereupon, to wit, on the same day, February twenty, 1906, said petitioner prayed and was allowed an appeal to the Supreme Court of the United States, and that on said appeal, Jose Arrutia, Warden of the Penitentiary of San Juan, was made party appellee.)

In testimony whereof I hereunto subscribe my name and affix the seal of said Supreme Court at San Juan, this twelfth day of May, A.D. 1906.

(Seal)

A. F. Castro
Secretary."

moved the Court to docket and dismiss this cause, pursuant to the 6th Rule; and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged, and decreed by this Court that this appeal from the Supreme Court of Porto Rico be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.)

Per Mr. Chief Justice Fuller.)

314. Elbert R. Robinson, Petitioner, vs. The American Creosote Works, Mr. J. Gary Lucas, of counsel for the petitioner submitted to the consideration of the Court a motion to dispense with copies of the printed record herein.

926. Gila Bend Reservoir and Irrigation Co., Appellant, vs. The Gila Water Company. On motion of Mr. Hugh D. Duggan, in behalf of counsel for the appellant, leave is hereby granted to present a petition for rehearing in this cause and the mandate is stayed for fifteen days.

703. Hugh Wallace et al., Plffs in Error, vs. Mrs. Ella Adams, etc. Mr. L. D. Michener, in behalf of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.

Order.

It is ordered that the following correspondence be spread upon the record.

Supreme Court of the United States,
May 28, 1906.

Dear Brother Brown:

We cannot allow your active participation in the work of the Court to terminate,

expression of our sincere regret.

You came here with high repu
deserved by a distinguished career o
as a District Judge of the United Stat
you have added in the course of over
of eminent judicial labors in this

Of those who were on this Bench
took your seat, Bradley, and Lamar
ford, and Field, and Gray, have pass
You have witnessed the coming and
Shiras, and Jackson, one of whom has

In a certain sense, what shadows
what shadows we pursue, but not in
for what has been worthily accomplis
still live and the memory of the just flo
perish.

We assure you that those of us who
longest with you, as well as those of
association, alike concur in that a
regard and that deep respect which
disposition and the great assistance in
tration of justice which your experience
and ability have enabled you to ren
inspired.

We hope that the light which has
at the evening-time of a well spent life
shine upon you, and that our fraterna
course may be continued for many

Very cordially yo
Melville W. Fulle
John M. Harl

David J. Brewer
E. D. White,
R. W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day

Supreme Court of the United States,
Washington, D.C.
May 28, 1906.

My dear Brethren:-

I thank you for your graceful & generous expressions of esteem. One of the most delightful experiences of my life has been the cultivation of the friendly companionships of the last fifteen years, - which I would gladly continue, were it not that impaired eyesight and the exactions which comes with three score and ten, demand me relating duty to the country, to you and to myself demands a relinquishment of the burden I have borne for thirty-one years, half of which have been spent in your company. While my resignation necessitates a severance of our official relations, I hope these relations may continue socially so long as our lives are spared to

I rejoice that I am leaving the Court at a time when it has never stood higher in the estimation of the people, nor when more important cases have been, and still are being presented for its consideration. The antagonisms, some

the earliest decades of its history, and at one time threatened to impair its usefulness, are happily forgotten; and the now universal acquiescence in its decisions, though sometimes reached by a close majority of its members, is a magnificent tribute to that respect for the law inherent in the Anglo-Saxon race, and contains within itself the strongest assurance of the stability of our institutions. The services rendered by the Supreme Court in this connection have been of incalculable value.

Again thanking you for your kindly interest in my welfare, I remain, with profound respect,

Most sincerely yours,

Henry B. Brown.

Order.

It is now here ordered by the Court that all the cases on the docket not decided, and all the other business of the term not disposed of be, and the same are hereby, Continued until the next term.

Per Mr. Chief Justice Fuller.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Supreme Court of the United States,
Chief Justice's Chambers,
May 29, A.D. 1905.

By reason of a vacancy occurring on the final adjournment of the October Term, A.D. 1904, a new allotment having become necessary in vacation;

It is ordered, That the following allotment be made of the Chief Justice and Associate Justices of this Court among the Circuits, agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record, viz:

For the First Circuit, Oliver Wendell Holmes, Associate Justice.
For the Second Circuit, Rufus W. Peckham, Associate Justice.
For the Third Circuit, Edward D. White, Associate Justice.
For the Fourth Circuit, Melville W. Fuller, Chief Justice.
For the Fifth Circuit, Edward D. White, Associate Justice.
For the Sixth Circuit, John M. Harlan, Associate Justice.
For the Seventh Circuit, William R. Day, Associate Justice.
For the Eighth Circuit, David J. Brewer, Associate Justice.
For the Ninth Circuit, Joseph McKenna, Associate Justice.

(Signed) Melville W. Fuller,
Chief Justice.

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At the Capitol of the United States, in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October (being the eighth day of the same month), in the year of our Lord one thousand nine hundred and six and of the Independence of the United States the one hundred and thirty-first, the Supreme Court of the United States met pursuant to law.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John M. Thurston it is ordered that H. A. Robertson Esquire, of Webb City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Peck it is ordered that George Peck

admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. McReynolds it is ordered that Charles C. Upham, Esquire, of Canton, State of Ohio, and Co. Edward Thornton, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry F. Greene it is ordered that Bert Fisher, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank L. Campbell it is ordered that William L. Chitty, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. Herbert Giesy it is ordered that George F. Hurst, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. S. Bacon it is ordered that Harris F. Williams, Es-

as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that William A. Gordon, Esquire, of Washington District of Columbia and C. W. Watt Esquire, of Elkins, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Earl it is ordered that George Cole Otis, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Randall Webb it is ordered that William Hoff Cook, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. P. Cutchfield it is ordered that Chester L. Collins, Esquire, of Bay City, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. M. Friend it is ordered that Timothy J. Butler

practice as an attorney and counsellor of this Court and he was sworn accordingly.)

The Chief Justice announced that the Court would commence the call of the docket tomorrow and that all motions noticed for to-day would be heard to-morrow.)

(Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Tazewell Taylor it is ordered that R. Randolph Nicks, Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that William A. Lynch, Esquire, of Canton, State of Ohio, and Joseph M. Bell, Esquire, of Canton, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr.

Espinn of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. P. Critchfield it is ordered that James VanKleeck, Esquire, of Bay City, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State of Kansas, Complainant,
v.
The United States et al.,

11, Original.

On motion of Mr. Solicitor General Hoyt it is ordered that the time to file pleadings herein on behalf of the defendants be extended for sixty days from the return day of the subpoena issued herein.

The State of Kansas, Complainant,
v.
The United States et al.,

11, Original.

On motion of Mr. Solicitor General Hoyt in behalf of Counsel for certain defendants, leave is hereby granted to file demurrer herein.

The United States, Appellant,
v.
The William Cramp & Sons Ship and Engine Building Company.

263.

The William Cramp & Sons Ship and Engine Building Company, Appellant,
v.
The United States.

264.

Mr. Solicitor General Hoyt submitted to the consideration of the Court a motion to advance these cases.

298.

407.

7, Original.

7, Original.

M. P. Reeves, Petitioner, vs. North Carolina Land & Timber Company et al.)

The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. H. Ingersoll, in support of the same, and Mr. R. C. Monncastle, in opposition thereto.

Maria Francisca O'Reilly Camara, Countess of Buena Vista, vs. Affirm Error, John R. Brooke, Major General U. S. A.

Mr. Valerie R. Couden of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.)

Commonwealth of Virginia, Complainant, vs. State of West Virginia.)

On motion of Mr. George W. McClintic, of counsel for the defendant, leave is hereby granted to file the demurrer of the defendant herein.)

Commonwealth of Virginia, Complainant, vs. State of West Virginia.)

Mr. George W. McClintic, of counsel for the defendant, submitted to the consideration of the Court a motion to fix a day for the argument of the demurrer herein.)

1113. The Atlantic Trust Co., Petitioner, vs. Edgar C. Chapman, Receiver &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. B. Whitney and Mr. Stanley W. Dexter, in support of the same, and Mr. Edgar C. Chapman, in opposition thereto.

1152. George D. Collins, Plff in Error, vs. Thomas F. O'Neil, Sheriff of the City and County of San Francisco, and The State of California, Mr. William Hoff, Clerk of counsel for the defendants in error, having filed in open Court the following Certificate to wit:

"In the Superior Court of the State of California, in and for the City and County of San Francisco. Department No. 4.

George D. Collins, Plaintiff in Error,
vs.
Thomas F. O'Neil, the Sheriff of the City and County of San Francisco and, the State of California,
Defendants in Error.

Certificate of Writ of Error allowed.

I, H. J. Mulcrevy, County Clerk of the City and County of San Francisco, State of California, and ex officio Clerk of the Superior Court of the State of California, in and for the City and County of San Francisco, do hereby certify that in the above entitled cause a judg-

of the State of California, in and for the City and County of San Francisco, on the 16th day of July A.D. 1906, in favor of the defendants in error, Thomas F. O'Neil the Sheriff of the City and County of San Francisco and The State of California, and that on the 16th day of July A.D. 1906, the plaintiff in error, George D. Collins, prayed for a writ of error to the Supreme Court of the United States which, was duly allowed on said last named day, and, a writ of error, was duly issued on said day.

In witness whereof I have hereunto set my hand and the seal of the Superior Court of the State of California in and for the City and County of San Francisco, this 1st day of October A.D. 1906.

(Seal)

H. J. Mulcrevy
County Clerk and ex officio Clerk of the Superior Court.

moved the Court to docket and dismiss this cause, pursuant to the Ninth rule: and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, and adjudged by this Court that the writ of error in this cause to the Superior Court of the City and County of San Francisco, State of California, be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Superior Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

237. David MacKenzie, Petitioner,
v.
James Pleasants, Sheriff &c.

The petition for a writ of Certiorari herein submitted to the consideration of the Court on printed arguments by Mr. R. G. Dyer for the support of the same, and Mr. Harris T. Hill in opposition thereto.

297. Frank D. Fell, Plff in Error,
v.
The Judges of the Circuit Court of the United States for the Eastern District of Virginia,

in replevin in this cause.

On motion of D. Lawrence of counsel for defendants in error leave is hereby granted to file a

165. Elbert R. Robinson, Petitioner,
vs.
The American Car & Foundry Co.

The petition for writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Gray Lucas, in support of the same and Thomas A. Banning and Mr. Ephraim Banning in opposition thereto.

A suggestion of diminution of the record on motion for writ of Certiorari under Rule 11 was submitted to the consideration of the Court by Mr. Lucas, of Counsel for the Petitioner.

1113. James P. Stewart et al., Petitioners. vs. N. S. Wright. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. H. R. Robertson, in support of the same, and Mr. John W. Halliburton, in opposition thereto.

1146. Corwin D. Buchtel, Aff'in Error, vs. R. Frank Wilson, Sheriff &c.
1147. Corwin D. Buchtel, Aff'in Error, vs. R. Frank Wilson, Sheriff &c.
1148. Harvey A. Miller, Aff'in Error, vs. R. Frank Wilson, Sheriff &c.
1149. William L. Davis, Aff'in Error, vs. R. Frank Wilson, Sheriff &c.
1150. Charles A. Vinton, Aff'in Error, vs. R. Frank Wilson, Sheriff &c.
Mr. Charles C. Upham, of Counsel for the defendant in error, submitted to the consideration of the Court a motion to advance these cases.

372. Carmelo Grego, Petitioner, vs. The Steamship "Sarnia" &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Wilford H. Smith, in support of the same, and Mr. Percy S. Dudley, in opposition thereto.

68. N. S. Keel, Jr., et al., Appellants, vs. E. E. Doucille. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. E. J.

in opposition thereto.

1111. New York Journal Publishing Company, Petitioners, vs. Joseph Simon. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. E. J. Fenwick and Mr. Clarence J. Shearn, in support of the same, and Mr. Edward K. Jones, in opposition thereto.

409 James W. Donnell, Petitioner, vs. Herring-Hall-Marvin Safe Company et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George Peck Merrick and Mr. S. S. Gregory, in support of the same, and Mr. Charles H. Aldrich and Mr. Lawrence Maxwell, Jr., in opposition thereto, and leave was granted counsel for petitioner to file a reply brief within three days.

286. City of Chicago, Appellant, vs. Darius O. Miles. Mr. Holmes Conrad, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause pursuant to the 32d Rule.

342. J. G. Rawlins, Appellant, vs. J. F. Freeman, Sheriff &c. Mr. Ligon Johnson, in behalf of counsel for the appellee, sub-

the Court a motion to advance this cause.

39. The Saginaw Match Co., Petitioner vs. The Diamond Match Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. R. A. Parker and Mr. C. F. Burton in support of the same, and Mr. John R. Nolan, in opposition thereto.

Ex parte. In the matter of The Seneca Nation of Indians of New York et al., Petitioners. The motion for leave to file a petition for a writ of mandamus herein was submitted to the consideration of the Court on printed arguments by Mr. Chester Howe in support of the same, and Mr. H. H. Robeson, Mr. J. Hemphill, Mr. N. B. Browne and Mr. Alex. Bullon, in opposition thereto, and leave was granted Mr. Assistant Attorney General VanOrsdel to submit suggestions in relation to the petition.

433. Henry Arnold Richardson, as Master &c., Petitioner, vs. John M. Shaw et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John Brooks Leavitt, in support of the same, and Mr. E. S. Reall, in opposition thereto.

1136. Cumberland Telephone & Telegraph Co., Petitioners, vs. The Mayor and City Council of Nashville, Tennessee, et al.

The petition for a writ of certiorari here was submitted for consideration and ordered by Mr. Wil... L. Frankenberg, in be...

174. Charles L. Landram et al., Executors &c., Appellants, vs. Gabriella K. Jordan et al.

On motion of Mr. ... Spriggs, it is ... hereby granted ... file a printed ... herein on behalf ...

185. Uriah S. Lee et al., Plffs in Error, vs. The State of New Jersey.

Mr. Robert N. McC... of counsel for the ... fendant in error, ... mitted to the Cour...

tion of the Court a motion to advance this cause ...

1, Original. The State of New Jersey, Complainant, vs. The State of Delaware.

Mr. Robert N. McC... of counsel for the ... plainant, submitted ... the consideration ...

Court a motion to further suspend proceedings ... or that the special master be directed to make and ... his report, and that the cause be set down for hea...

334. The Graham & Morton Transportation Co., Appellant, vs. Craig Shipbuilding Company. On motion of Mr. Charles P. Wilson, in behalf of Counsel for the appellant, It is ordered that this cause be, and the same is hereby, advanced, pursuant to the 3rd Rule.

339. The Graham & Morton Transportation Co., Appellant, vs. Craig Shipbuilding Company. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles E. Kremer, of counsel for the appellant, and Mr. Harvey D. Goulder, Mr. S. H. Holding, and Mr. Frank S. Morton, of counsel for the appellee.

61. Robert Miller, as Special Master, and Lucas Amadeo, Plffs in Error, vs. Northern Assurance Company. In Error to the District Court of the United States for the District of Porto Rico.

This cause having been called to the attention of the Court by Mr. Frederic D. McKenney, of counsel for the defendant in error, and a stipulation of counsel for the respective parties to dismiss the writ of error herein having been filed, Therefor, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

American Railroad Company of Porto Rico
No. 45. vs. } In Error,
Juan Matias Fernandez. } for the District Rico.

This Cause having been called to the attention of t
by Mr. Frederic D. McKenney, of Counsel for the P
in error, and he having moved the Court to dis
the writ of error herein, Therefore, in pursua
said motion, It is now here ordered and adjud
by this Court that the writ of error in this cause
the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fulle

The Eagle Ox Sampling Co,
No. 142. vs. } Petitioner,
Duncan Chisholm, Trustee.

The petition for
of certiorari here
submitted to the
sideration of th
on printed arguments by Mr. Henry M. Teller, in
port of the same, and Mr. Joel F. Vaile, Mr. C. A. N
denburg and Mr. C. C. Brandenburg, in opposi
thereto.

The Atlantic Transport Co,
No. 142. vs. } Petitioner,
Frances M. Barnes.

The petition for a
certiorari herein
submitted to th
sideration of th
on printed arguments by Mr. J. Parker Kirlin, in
port of the same, and Mr. Louis H. Porter, in op
thereto.

11. Agustin Castello, Appellant, vs. Ernest Ruffner et al. On motion of Mr. Roderic D. McKenney, in behalf of counsel for appellant, It is ordered, by the Court that this cause, be, and the same is hereby, passed temporarily.

10. William J. Gallagher, Plff in Error, vs. The People of the State of Illinois. Mr. Barry Mohun, in behalf of Counsel for the Plaintiff in error, submitted to the consideration of the Court a motion that the Clerk's fee for supervising the printing of the record be based upon the record as printed instead of the record as filed.

108. Ferdinand Eidman, Collector &c., Petitioner, vs. Frederick B. Pilgrim et al, Executors &c. On motion of Mr. A. Gordon McCouch, leave is hereby granted him to file a printed brief herein on behalf of certain interested parties.

330. The Delaware, Lackawanna & Western Railroad Co., Petitioner, vs. William W. Ritter et al, Executors &c. The petition for a writ of certiorari, herein was submitted to the consideration of the Court on printed arguments by Mr. William D. Guthrie and Mr. Henry D. Hotchkiss, in support of the same, and Mr. Augustus Van Wyck, in opposition thereto.

113. American Smelting and Refining Company, Plff in Error, v. The People of the State of Colorado ex rel. Henry A. Lindsley, Dist. Atty. (Advance this Cause.)

Mr. N. C. Mill
Counsel for the
fendant in erro
submitted to th
sideration of
Court a motion

In Error to the Sup
Court of Appeals
State of Virginia

5. Newport News & Old Point Railway & Electric Company, Plff in Error, v. Hampton Roads Railway and Electric Company et al.)

It appearing to the Court that a motion by counse
for the plaintiff in error to dismiss the writ of err
in this cause has been filed, Therefore, in pursuan
of said motion, It is now here ordered and adjud
by this Court that the writ of error in this cause be,
the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

74. United Land Association et al, Plffs in Error, v. Louis Abrahams et al.)

75. United Land Association et al, Plffs in Error, v. Lewis Abrahams et al.)

It is ordered by
Court that these ca
be, and they are
continued until
next term, pursu
lation of counse

161. The Alliance Gas and Electric Company, Appellant, vs. The City of Alliance. Appeal from the Circuit Court of the United States for the Northern District of Ohio.

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

167. The Alliance Gas and Electric Company, Appellant, vs. The City of Alliance. Appeal from the Circuit Court of the United States for the Northern District of Ohio.

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

183. The Covington and Cincinnati Bridge Company, Aff'ts in Error, v. The City of Covington. — In Error to the Court of Appeals of the State of Kentucky.

It appearing to the Court that a motion by counsel for the plaintiffs in error to dismiss the writ of error herein has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

206. Oklahoma Gas and Electric Company, Aff'in Error, v. Myrtle Lukert. — In Error to the Supreme Court of the Territory of Oklahoma.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error herein has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

3, Original. The State of Kansas, Complainant, v. The State of Colorado et al. — On motion of Mr. D. C. [illegible] of counsel for certain defendants, It is ordered by the Court that this cause [illegible]

passed for argument before a full bench.

2, Original. The State of Kansas, Complainant, vs. The State of Colorado et al, Defendants. On motion of Mr. S. C. Berman, of counsel for certain defendants, leave is hereby granted him to file a brief in reply to the brief of The United States, intervenor herein.

167. The United States, Petitioner, vs. George Riggs & Co. On motion of Mr. Assistant Attorney General McReynolds, of counsel for the petitioner, It is ordered by the Court that this cause be, and the same is hereby, dismissed temporarily.

208. Ferdinand Eidman, Collector &c., Petitioner, vs. Frederick B. Dilghman et al, Executors &c. On motion of Mr. Assistant Attorney General McReynolds, of counsel for the petitioner, It is ordered by the Court that this cause, be, and the same is hereby, reassigned for argument on the 15th instant at the head of the call for that day.

92. Union Pacific Railroad, Company, Appellant, vs. Robert O. Fink, Treasurer of Douglas County, Nebraska, et al. Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause having been called to the attention of the Court by Mr. Maxwell Evarts, of counsel for the appellant, and he having moved the Court to dismiss

It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

213. Chicago, Burlington & Quincy Railway Company, Appellant, vs. A. F. Carlson, M. N. Troupe, H. M. Florey et al. Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause having been called to the attention of the Court by Mr. Maxwell Evarts, in behalf of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

215. Chicago, Burlington & Quincy Railway Company, Appellant, vs. P. C. Babcock, Treasurer, &c. On motion of Mr. Maxwell Evarts, in behalf of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, passed to be heard before a full bench.

244. Union Pacific Railroad Co., Appellant, vs. Robert O. Finch, Treasurer, &c. On motion of Mr. Maxwell Evarts, of counsel for the

by the Court that this cause be, and the same is hereby advanced and assigned for argument with case No. 915 as one case.

190. William J. Gallagher, Plff in Error, vs. The People of the State of Illinois. On motion of Mr. Barry Mohun, in behalf of, Counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed temporarily.

191. The County Commissioners of Niconico County, Petitioners, vs. Samuel Bancroft, Jr. This cause was argued by Mr. J. E. Ellegood, of Counsel for the Petitioners, and submitted on printed arguments by Mr. Nicholas P. Bond, of Counsel for the Respondent.

194. Charles S. Landram et al., Executors &c., Appellants, vs. Gabriella K. Jordan, This cause was argued by Mr. J. J. Hemphill, of Counsel for the Appellants, and Mr. Charles S. Wilson, of Counsel for the Appellee.

914. Fred C. Fisher and Charles C. Cohn, on behalf of Felix Barcelon, Plffs in Error, vs. Colonel David J. Baker, et al. The argument of this cause was commenced by Mr. Frederick R. Coudert, of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-

Wednesday, October 10th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James K. Jones it is ordered that L. C. Berry, Esquire, of Marion, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

20. William J. Gallagher, Plaintiff in Error, v. The People of the State of Illinois.

On consideration of the motion that the Clerk's fee for supervising the printing of the record be based upon the record as printed instead of the record as filed, It is now here ordered by the Court that said motion be, and the same is hereby granted. It is further ordered that this cause be, and the same

instant at the head of the calls for that day.
(By Mr. Chief Justice Fuller.)

1. Edward J. Peaney, Plff in Error, vs. Nevada N. Shanahan. On motion of Mr. Solicitor General Hoyt, It is ordered that this cause be, and the same is hereby, passed, subject to the provisions of Section 7 of Rule 24.

14. James Buck, Trustee &c., Plff in Error, vs. William E. Beach, Executor &c. On motion of Mr. Frederic D. McKenney in behalf of Counsel, It is ordered by the Court that this cause be, and the same is hereby, passed.

19. Robert Jackson, Plff in Error, vs. George E. Emmons et al. Mr. Joseph J. Waters of Counsel for the plaintiff in error, suggested the death of Robert Jackson, the plaintiff in error herein, and moved the Court to make Joseph J. Waters, Administrator of the estate of said Robert Jackson, the party plaintiff in error. Whereupon, It is now here ordered by the Court that the said Joseph J. Waters, Administrator of the estate of Robert Jackson, deceased, be, and he is hereby, made the party plaintiff in error in this cause.

2. The State of South Carolina ex rel. O. W. Buchanan, Plff in Error, vs. This cause was submitted to the consideration of

to the 50th rule, on printed arguments to be filed hereafter.

8. Ann Francis, Plff in Error, vs. Peter F. Francis et al. This cause was submitted to the consideration of the Court on the record and printed arguments.

Mr Nathaniel T. Crutchfield, Mr. James Van Cleve and Mr. Henry M. Duffield, of counsel for the plaintiff in error, and Mr. Chester L. Collins, of counsel for the defendants in error, and leave was granted. counsel for both sides to file additional briefs within two weeks.

9 14. Fred C. Fisher and Charles C. Colby, on behalf of Felix Dareelon, vs. Plffs in Error, Colonel David J. Baker et al. The argument of this cause was commenced by Mr. Frederick Coudert, of counsel for the plaintiffs in error, and Mr. Solicitor General Hoyt, of counsel for the defendants in error, and concluded by Mr. Frederick Coudert, of Counsel for the plaintiffs in error.

248. George A. Pettibone, Appellant, vs. Jasper C. Nicholas,
250. Charles H. Moyer, Appellant, vs. Jasper C. Nicholas,
251. William D. Haywood, Appellant, vs. Jasper C. Nicholas.

The argument of these cases was commenced by Edmund F. Richardson, of Counsel for the appellants, continued by Mr. James H. Hawley, of Counsel for the appellants, Proclamation being made the Court is adjourned until to-

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. N. Tyme it is ordered that Charles W. Slack, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Golden Donaldson it is ordered that John F. Riley, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

949. George A. Pettibone, Appellant, vs. Jasper C. Nichols,
950. Charles H. Moyer, Appellant, vs. Jasper C. Nichols,
951. William D. Haywood, Appellant, vs. Jasper C. Nichols.

The argument of these cases was concluded by Mr. Clarence S. Darrow, of counsel for the appellants.

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2. Gulf, Colorado & Santa Fe, Railway Co., vs. Riff in Error, The State of Texas.)

This cause was argued by Mr. Gardiner Lathrop, of counsel for the plaintiff in error, and Mr. Robert V. Davideon, of counsel for the defendant in error.)

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6. Thomas F. Wilson, on behalf of The Territory of Arizona, vs. Appellant, N. O. Murphy et al.)

7. Thomas F. Wilson, on behalf of The Territory of Arizona, vs. Appellant, George W. Vickers et al.)

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Eugene S. Ives, of counsel, for the appellant; and leave was granted counsel for the appellees to file printed briefs within ten days.

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19. Joseph J. Waters, Admr., vs. Riff in Error, George E. Emmons et al.

This cause was submitted to the consideration of the Court on the record

for the plaintiff in error, and Mr. H. D. Mattingly, of counsel for the defendants in error.

Leonidas M. Lawson et al, Petitioners,
vs.
United States Mining Co.

The argument of this cause was commenced by Mr. Charles J. Hughes, Jr., of counsel, for the petitioners.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Friday, October 19th, 1906.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. W. Dickson it is ordered that Robert B. Gaylord, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

174 Leonidas M. Lawson et al., Petitioners, vs. United States Mining Co. The argument of this cause was continued by Mr. Charles J. Hughes, Jr., of counsel for the petitioners, and Mr. William W. Dickson, of counsel for the respondent, and concluded by Mr. Charles J. Hughes, Jr., of counsel for the petitioners, and leave was granted counsel for the petitioners to file a reply brief within two weeks.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John N. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Don C. Smith, Esquire, of Guthrie, Oklahoma Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. C. Sullivan it is ordered that Albert R. Allen, Esquire, of Fairmont, and Thomas J. Knox, Esquire, of Jackson, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. McKenna [illegible]

Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that Floyd McGown, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S.S. Brown it is ordered that Robert A. Hewitt, Jr., Esquire, of Maysville, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. V.B. Edwards it is ordered that Samuel P. Maddox, Esquire, of Dalton, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E.M. Hewlett it is ordered that Noah W. Parden and S.L. Hutchins, Esquires, of Chattanooga, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by

Williams, Martin A. Fleming, James J. Lynch, J. Pope Shepherd, Lewis Shepherd, and George H. Chamlee, Esquires, of Chattanooga, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. L. Brobeck it is ordered that William G. Burke, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Territory of New Mexico ex rel. E. J. McLean & Company, Appellants, vs. The Denver & Rio Grande Railroad Company. Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

Ex parte In the matter of The Seneca Nation of Indians of New York and The Onondaga, Cayuga, and Tuscarora Tribes of On Consideration of the motion for leave to file a pe

of mandamus herein, and of the argument offered thereupon had, as well in support of as against same. It is now here ordered by the Court that motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fu

1, Original. The State of New Jersey, Complainant, vs. The State of Delaware.

On consideration motion to direct master to file r ort herein an the case be set down for argument, or that proceedings be suspended, It is now here ordered the Court that further proceedings in this cau suspended until the first Monday in Febr 1907.

Per Mr. Chief Justice Fulle

68. W. S. Keel, Jr., et al., Appellants, vs. E. E. Donville.

It is ordered by th that the further c ation of the motio dismiss or affir this cause be, and the same is hereby, postpon until the hearing of the cause on the merits.

Per Mr. Chief Justice Fulle

119. American Smelting and Refining Co., Plff in Error, vs. The People of the State of Colorado ex rel. Henry A. Lindsley, District Attorney

On consider of the motio advance the It is ordered by the

the cause assigned for argument on Monday, December 17th next.

Per Mr. Chief Justice Fuller.

260. Hugh Wallace et al, Plffs in Error, vs. Mrs. Ella Adams, for herself &c. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, December 17th next.

Per Mr. Chief Justice Fuller.

390. J. G. Rawlins, Appellant vs. J. F. Passmore, Sheriff &c. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 29th instant.

Per Mr. Chief Justice Fuller.

446. Corwin A. Brekitel, Plff in Error, vs. R. Frank Wilson, Sheriff &c.
447. Corwin D. Brekitel, Plff in Error, vs. R. Frank Wilson, Sheriff &c.
448. Harvey K. Miller, Plff in Error, vs. R. Frank Wilson, Sheriff &c.
449. William L. Davis, Plff in Error, vs. R. Frank Wilson, Sheriff &c.
450. Charles N. Van Horn, Plff in Error, vs. R. Frank Wilson, Sheriff &c.

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the causes assigned

No. 185.

Uriah S. Lee et al.,
vs. Plffs in Error,
The State of New Jersey.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

No. 962.

The United States,
vs. Appellant,
The William Cramp & Sons Ship and Engine Building Co.

No. 964.

The William Cramp & Sons Ship and Engine Building Co.,
vs. Appellant,
The United States.

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

No. 407.

Doña Maria Francisca O'Reilly de Camara, Countess of Buena Vista,
vs. Plff in Error,
John R. Brooke, Major General U.S.A.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

186. City of Chicago, Appellant, vs. Darius O. Mills. On consideration of the motion to advance this cause pursuant to the 3rd Rule, It is now here ordered by the Court that said motion be, and the same is hereby, granted, the cause to be submitted on printed briefs, pursuant to said rule.

Per Mr. Chief Justice Fuller.

413 The Atlantic Trust Company, Petitioner, vs. Edgar C. Chapman, Receiver &c. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

452. Henry Arnold Richardson, Trustee &c., Petitioner, vs. John M. Shaw et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the

petition be, and the same is hereby, granted.
Per Mr. Chief Justice Fu

The Eagle Ore Sampling Co, Petitioner, vs. Duncan Chisholm, Trustee. 142.

On petition for writ to the United States Circuit Court of Appeals for the Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the petition be, and the same is hereby, denied.
Per Mr. Chief Justice Fu

W. P. Reeve, Petitioner, vs. North Carolina Land and Timber Company et al. 298.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the petition be, and the same is hereby, denied.
Per Mr. Chief Justice Fu

305. Arthur Weinrod et al., Petitioners, vs. Joseph N. Pink. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

327. Carmelo Greco, Petitioner, vs. The Steamship "Lazia" &c., The Hamburg-American Packet Co., Claimant. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

330. The Delaware, Lackawanna & Western Railroad Company, Petitioner, vs. William H. Ruttle and Robert E. Westcott, Executors &c. | On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

337. David Mackenzie, Petitioner, vs. James Blake, Sheriff of Cook County, Illinois. | On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

397. The Saginaw Match Company, Petitioner, v. The Diamond Match Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

436. Cumberland Telephone & Telegraph Company, Petitioner, v. Mayor and City Council of Nashville, Tennessee. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

New York Evening Journal Publishing Company, Petitioner, vs. Joseph Simon. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

444.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The Atlantic Transport Company, Claimant of the Steamship "Minnetonka" &c, Petitioner, vs. Frances M. Barnes. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

445.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1112. James P. Stewart, Joseph C. Stewart, and Exchange Bank of Webb City, Petitioners, vs. N. S. Wright. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

197. Frank D. Zell, Plff in Error, vs. The Judges of the Circuit Court of the United States for the Eastern District of Virginia. In Error to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the order of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

339. The Graham and Morton Transportation Company, Appellant, vs. Craig Shipbuilding Company. Appeal from the District Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

259. The United States, Petitioner, vs. G. Falk & Brother. Mr. Solicitor General Hoyt, of Counsel for the petitioner, submitted to the consideration of the Court a motion to advance this cause.

369. James G. Tinsley, Appt. vs. Morgan Bell, U.S. Marshal &c.
370. William Del. Kesler, Appt. vs. " " " "
371. Samuel T. Morgan, Appt. vs. " " " "
372. Austin D. Carpenter, Appt. vs. " " " "
373. Fortesque Whittle, Appt. vs. " " " "
374. Frank E. Wilcox, Appt. vs. " " " "
375. George Braden, Appt. vs. " " " "
376. Frank S. Royster, Appt. vs. " " " "
377. J. Rice Smith, Appt. vs. " " " "
378. Charles F. Burroughs, Appt. vs. " " " "
379. Charles A. McDowell, Appt. vs. " " " "

Mr. Solicitor General Hoyt, of Counsel for the appellees submitted to the consideration of the Court a motion to advance these cases.

115 & 116. The Dakota, Wyoming & Missouri River Railroad Co., et al., vs. Charles D. Crouch and Francis Seibering, Trustees. Plffs in Error,

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Charles W. Brown, in support of the same, and Mr. William P. Coad, in opposition thereto.

135. Robert M. Green vs. Chicago, Burlington & Quincy Railway Company. Pff in Error.

On motion of Mr. Frank P. Prichard, of Counsel for the Plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, advanced pursuant to the 31st Rule.

144. Moritz Eisner et al., vs. Emilie Saxlehner. Petitioners.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles K. Allen, Mr. Leopold Wallach, and Mr. Charles G. Coe, in support of the same, and Mr. Antonio Knauth, in opposition thereto.

165. Elbert R. Robinson, Petitioner, vs. The American Car & Foundry Co. — On motion of Mr. J. Gray Lucas, of counsel for the petitioner, leave is hereby granted him to file a brief in reply herein.

318. Southern Railway Company, Petitioner, vs. Mattie J. Stiltz, Admx &c. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments in support of the same, and Mr. Milton Humes, Richard H. Walker, in opposition thereto.

148. California Consolidated Mining Company, Plff in Error, vs. Charles Manley, Sheriff &c. et al. — The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments in support of the same, and Mr. Myron A. Folsom, in opposition thereto.

300. The Old Dominion Steamship Co., Owner &c., Petitioner, vs. Simms Gilmore, Admr &c. et al. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Harrington Putnam in support of the same, and Mr. J. Parker Kirlin and Mr. George H. Butler, in opposition thereto.

366. Abram Rosenberger, Petitioner, vs. Joseph H. Harris. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. J. Darlington and Mr. James C. Jones, in support of the same, and Mr. Solicitor General Hoyt, in opposition thereto.

360. W. H. Rose vs. Plff in Error, The State of Kansas ex rel. C. C. Coleman, Attorney General. The motions to dismiss or affirm in this cause, were submitted to the consideration of the Court on the record and printed arguments by Mr. C. C. Coleman, in support of the same, and Mr. Frederic D. McKenney, in opposition thereto.

12, Original. The United States of America, Complainant, vs. John F. Shipp et al. On motion of Mr. Judson Harmon, Mr. Lewis Shepherd, Mr. G. W. Chamlee, Mr. Samuel P. Maddox and Mr. Joe V. Williams, of counsel, leave is hereby granted to file answers of the defendants herein.

8, Original. Ex parte In the matter of George, Moran, Petitioner. This cause was argued by Mr. F. E. Riddle, of counsel for the petitioner, and Mr. Don C. Smith, of counsel for the respondent.

208. Ferdinand Eidman, Collector &c., Petitioner, vs. Frederick B. Tilghman et al., Executors &c. This cause was argued by Mr. Assistant Attorney General McReynolds, of counsel for the petitioner, and Mr. E. B. Whitney, of counsel for the respondents.

25. The Fidelity Mutual Life Insurance Co., Appellant, vs. William H. Clark et al. The argument of this cause was commenced by Mr. Maurice E. Locke, of counsel for the appellant.

Proclamation being made the Court is adjourned, until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met this day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert V. Davidson it is ordered that Jewel P. Lightfoot, Esquire, of Pittsburg, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Ralston it is ordered that Andrew M. Crawford, Esquire, of Salem, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. S. Brown it is ordered that H. H. Haynes, Esquire,

as an attorney and counsellor of this Court and he was sworn accordingly.

25. The Fidelity Mutual Life Insurance Co., Appellant, vs. William H. Clark et al.) The argument of this cause was continued by Mr. Maurice E. Locke, of counsel for the appellant, and Mr. F. M. Etheridge, of counsel for the appellees, and concluded by Mr. Maurice E. Locke, of counsel for the appellant.

26. J. A. Axtell et al., Plffs in Error, vs. Cyrus Webber.) This cause was argued by Mr. Albert R. Allen, of counsel for the plaintiffs in error, and Mr. S. J. Knox, of counsel for the defendant in error.)

27. The City of Monterey, Plff in Error, vs. David Jacks.) This cause was argued by Mr. W. L. Brobeck, of counsel for the defendant in error, and submitted on a printed argument by Mr. Hamilton Gay Howard, of counsel for the plaintiff in error.)

28. Charles M. Taylor, Appellant, vs. Thomas Burns et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Eugene S. Ives, of counsel for the appellant, and

for the appellees.

No. Daniel Sullivan vs. Riff in Error, St. Louis, Brownsville & Mexico Railway Company. This cause was argued by Mr. Floyd McGown, of counsel for the plaintiff in error, and Mr. Reagan Houston, of counsel for the defendant in error.

Proclimation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, October 17th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Kemp Bartlett it is ordered that Leonidas Dennis, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte In the matter of The Montana Mining Company, Limited, Petitioner.

Mr. A. B. Browne, of Counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein and for a restraining order, and on motion of Mr. J. K. Ralston leave is hereby granted him to file a brief in opposition

36. Hugh P. Strong et al., Plffs in Error
vs.
Buffalo Land and Exploration Co.

On motion of Wm. H. C. White, of counsel for the defendant in error, leave is hereby granted him to file a brief in reply herein within ten days.

37. The Covington and Cincinnati Bridge Company, Plff in Error
vs.
S. W. Hager, Auditor &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. D. Rouse, of counsel for the plaintiff in error, and Mr. N. B. Hays, of counsel for the defendant in error.

39. C. H. Buster and Charles S. Jones, Copartners, doing business under the firm-name and style of Buster & Jones, et al., Appellants,
vs.
J. George Wright, United States Indian Inspector, et al.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 6th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

30. C. A. Nichols Lumber Co, Plff in Error, vs. Charles Jamison. This cause was argued by Mr. Carroll D. Bond, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Walter S. Fulton, of counsel for the defendant in error.

31. International Trust Co, Plff in Error, vs. John W. Weeks, Agent &c. This cause was argued by Mr. R. M. Morse, of counsel for the plaintiff in error, and Mr. G. Philip Hardner, of counsel for the defendant in error.

32. Paul Heyman, Plff in Error, vs. Southern Railway Co. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Milton Strasburger and Mr. Samuel A. Myers, of counsel for the plaintiff in error, and Mr. Joseph B. Cumming, of counsel for the defendant in error.

33. National Live Stock Bank of Chicago, Ill., Plff in Error, vs. First National Bank of Geneseo, Ill. The argument of this cause was commenced by Mr. Silas A. Strawn, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James S. Botsford it is ordered that William E. Fowler, Esquire, of Excelsior Springs, and Robert B. Ruff, Esquire, of Marshall, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

41. Catherine Schlemmer, Plff in Error, vs. The Buffalo, Rochester & Pittsburgh Railway Company.

On motion of Mr. Frederic D. McKenney, in behalf of counsel, it is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7 of Rule 16.

165. Albert R. Robinson, Petitioner, vs. The American Car & Foundry Co. — On motion of Mr. J. Gray Lucas, of counsel for the petitioner, leave is hereby granted him to file an additional brief herein.

119. Charles W. Clark, Plff in Error, vs. P. O. Wells. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Walter M. Dickford and Mr. George P. Shelton, of counsel for the plaintiff in error, and Mr. N. W. McConnell, of counsel for the defendant in error.

33. National Live Stock Bank of Chicago, Ill., Plff in Error, vs. First National Bank of Geneseo, Ill. — The argument of this cause was continued by Mr. Silas H. Strawn, of counsel for the plaintiff in error, and Mr. James S. Botsford, of counsel for the defendant in error, and concluded by Mr. Silas H. Strawn, of counsel for the plaintiff in error.

34. The Northwestern National Life Insurance Co., Plff in Error, vs. Paul Riggs and Eugene De Hart, Executors &c. — This cause was argued by Mr. S. S. Brown, of counsel for the plaintiff in error, and Mr. Robert A. Hewitt, Jr., and Mr. W. H. Haynes, of counsel for the defendants in error.

35. North American Transportation & Trading Co., vs. Riff in Error, N. B. Gill. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Frederick Bausman, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

36. Hugh P. Strong et al. vs. Riffs in Error, Buffalo Land & Exploration Co. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John Brennan, Mr. J. M. Vale, Mr. Moses E. Clapp, and Mr. Newel H. Clapp, of counsel for the plaintiffs in error, and Mr. William C. White, of counsel for the defendant in error.

38. H. J. Laffoon vs. Riff in Error, J. F. Kerner et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Louis M. Swink, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

40. Northern Assurance Co., of London, vs. Riff in Error, Grand View Building Association. The argument of this cause was commenced by Mr. Joseph R. Webster, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James S. Harlan it is ordered that Frank Feuille, Esquire, of San Juan, Porto Rico, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. P. Thom it is ordered that Carruthers Ewing, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. D. Duffield it is ordered that Francis E. Matthews,

practice as an attorney and counsellor of this Court and he was sworn accordingly.

9 11. Fred C. Fisher and Charles C. Cohn, on behalf of Felix Barcelon, vs. Plffs in Error, Colonel David J. Baker et al. Brief herein. It is ordered by the Court that Counsel for the plaintiffs in error be granted leave to file a supplemental

36. Hugh P. Strong et al, vs. Plffs in Error, Buffalo Land & Exploration Co. On motion of Mr. J. M. Vale, of Counsel for the plaintiffs in error, leave is hereby granted Counsel for the plaintiff in error to file an additional brief herein and, to file a brief in reply to the additional brief of Counsel for the defendant in error within five days after the filing of such additional brief.

47. N. L. Rearick vs. Plff in Error, The Commonwealth of Pennsylvania. This cause was submitted to the consideration of the Court, pursuant to the 70th rule, on the record, and printed arguments of Counsel to be filed hereafter.

46. Northern Assurance Co. of London, vs. Plff in Error, Grand View Building Association. The argument of this cause was continued, by Mr. Charles J. Greene, of Counsel for the plain-

counsel for the defendant in error.

147. Warren B. Wilson, Appellant, vs. Leslie M. Shaw, Secretary of the Treasury.

This cause was argued by Mr. Warren B. Wilson, in propria persona, and, on motion of Mr. Solicitor General, Hoyt, leave was granted counsel for the appellee to file a brief within ten days if so advised, and to counsel for the appellant to file a brief in reply thereto within five days thereafter.

148. Tony Kersek, Plff in Error, vs. The City of Topeka.

Ordered by the Court that this cause be, and the same is, hereby, continued until the next term.

149. William H. Andrews, Plff in Error, vs. Eastern Oregon Land Co.

This cause was argued by Mr. S. M. Stockslager, of counsel for the plaintiff in error, and Mr. A. B. Browne, of counsel for the defendant in error.

150. The State of New Jersey, Appellant, vs. Wm. F. Anderson, Trustee.

This cause was argued by Mr. E. D. Duffield, of counsel for the appellant, and on motion of Mr. L. A. Radt, in behalf of counsel for the appellee, leave is hereby granted counsel for the appellee to file a brief within ten days, and to counsel for the appellant to file a reply thereto.

51. Ann E. J. Cruit, Appellant, vs. Kate Dean Owen et al.

The argument of this cause was commenced by Mr. E. N. Thomas, of Counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 22d, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. H. H. Hinbish it is ordered that T. D. Miller and J. H. Martin, Esquires, of Columbus, State of Georgia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Merrill Moores it is ordered that Frederick E. Matson and Henry Warrum, Esquires, of Indianapolis, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. M. Cady it is ordered that Charles A. Broderick, Esquire,

and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Henry Dennis it is ordered that Seymour Kirk, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Wilson it is ordered that John J. Jackson, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Prescott Gatley it is ordered that C. VanOden Hughes, Esquire, of New York City, and John A. Fairchild, Esquire, of San Jose, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

174 Charles S. Lamb and John A. Broaddus, Executors of Constance K. Vertner, deceased, and Lillie K. Vertner, Appellants, vs. Gabrielle K. Jordan. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Co-

whereof. It is now here ordered, adjudged, and decreed by this Court that the decree of the Supreme Court of the District of Columbia in this cause be, and the same is hereby, modified by inserting after the words "against his entire estate" the words "in the District of Columbia," and as so modified, that said decree and the decree of the said Court of Appeals in this cause be, and the same are hereby affirmed with costs.

Per Mr. Justice Holmes.

Commonwealth of Virginia, Complainant,
7, Original. vs.
State of West Virginia.

On consideration of the motion to fix a day for the argument of the demurrer herein,

It is now here ordered by the Court that said demurrer be, and the same is hereby, set down for argument on Monday, March 4, 1907.

Per Mr. Chief Justice Fuller.

The Dakota, Wyoming & Missouri River Railroad Co., et al.,
145 & 146. vs. Affs in Error,
Charles D. Crouch and Francis Saborling Trustees.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in these cases be, and the same is hereby, postponed until the hearing of the causes on the merits.

Per Mr. Chief Justice Fuller.

162. Eau Claire National Bank, Plff in Error, vs. Ralph W. Jackman, Trustee &c. It is ordered by the Court that the further consideration of the motion to dismiss in this cause, be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

205. The Chicago Rock Island & Pacific Railway Co., Plff in Error, vs. D. Roy Mumford. It is ordered by the Court that the further consideration of the motion to vacate the supersedeas in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

259. The United States, Petitioner vs. L. Fain & Brother. On consideration of the motion to advance this cause, It is now here ordered by the Court that, said motion be, and the same is hereby, granted and the cause assigned for argument on Monday, December 3d next.

Per Mr. Chief Justice Fuller.

369. James G. Tinsley, Appellant, vs. Morgan Treat, U.S. Marshal &c.
370. William De C. Kessler, " " " " " "
371. Samuel T. Morgan, " " " " " "
372. Austin B. Carpenter, " " " " " "
373. Portesque Whittle, " " " " " "

375. George Braden, Appellant, vs. Morgan Treat, U.S. Marshal &c.
376. Frank S. Rose, " " " " " "
377. J. Rice Smith, " " " " " "
378. Charles P. Burroughs, " " " " " "
379. Charles H. McDowell, " " " " " "

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument as one case on Monday, December 3d, 1906, after No. 257.

Per Mr. Chief Justice Fuller.

350. The Old Dominion Steamship Company, Owner of the Steamship "Hamilton", Petitioners, vs. Thomas Gilmore, Administrator &c. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

165. Albert R. Robinson, Petitioner, vs. The American Car & Foundry Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari

to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

318. Southern Railway Company, Petitioner, v. Mattie J. Stults, Administratrix of William J. Stults, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

366. Abram Rosenberger, Petitioner, v. Joseph A. Harris. On petition for writ of certiorari, to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is

Moritz Eisner, and Hattie Mendelson, as Executrix of the last will and testament of Joseph Mendelson, deed,
Petitioners,
vs.
Emilie Saxe Gilmer.

No. 111. On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of The Montana Mining Company, Limited,
Petitioners.

No. 13, Original. On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of The Montana Mining Company, Limited,
Petitioners.

No. 13, Original. On consideration of the petition of The Montana Mining Company, Limited, It is now here ordered by the Court that cause be shown by The St. Louis Mining & Milling Company of Montana and Honorable William N. Hunt United States District

Montana, holding the Circuit Court of the United States for the District of Montana, before this Court at the City of Washington on Thursday, November 1st, 1906, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

(Per Mr. Chief Justice Fuller.)

Ex parte In the matter of The Montana Mining Company Limited, Petitioner. On consideration of the petition of The Montana Mining Company Limited,

13, Original.

It is now here ordered by the Court that The St. Louis Mining and Milling Company of Montana its agents, attorneys, servants, employees and workmen, and each and every of them, are strictly commanded and enjoined under the pains and penalties which may fall upon them, and each of them, in case of disobedience, to forthwith and until the further order of this Court, desist from entering into and upon that certain portion of the lode, ledge, or vein known as the Drum-lummon lode, situated in what is known as The St. Louis Lode Mining Claim, upon a plane drawn down parallel to the end lines of the said St. Louis Lode Mining Claim, as follows, The northernmost of said projected end lines to be drawn so as to intersect the points of intersection of the east side line of the St. Louis Lode mining claim with the west side line of the "Compromise ground", or thirty foot strip, said point being located on the east line of the St. Louis Lode mining

1,032.7 feet from corner No. 1 of the said St. Louis Lode mining claim. The other, or southerly, of said projected lines, is drawn so as to intersect the west side line of the "Compromise ground", or thirty foot strip at a point 108 feet South 50 degrees 50 minutes West from the point of intersection of the east side line of the said St. Louis Lode mining claim with the west side line of the "Compromise ground", or thirty foot strip.

Per Mr. Chief Justice Fuller.

19. Joseph J. Waters, Administrator of Robert Jackson, deceased, Plff in Error, vs. George E. Emmons and J. Paul Smith. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

No. 76. J. A. Axtell, Sarah Axtell, James First et al. Plffs in Error, vs. Cyrus Hibbet. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

No. 79. Daniel Sullivan, Plff in Error, vs. St. Louis, Brownsville & Mexico Railway Company. In Error to the Circuit Court of the United States for the Southern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Texas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

35. North American Transportation and Trading Company, Plff in Error, v. W. B. Gill. In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Washington.

Per Mr. Chief Justice Fuller.

38. W. J. Laffoon, Plff in Error, v. J. P. Kerner and C. L. Kerner, trading as Southern Woolen Mills, et al. In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

California Consolidated Mining Company, Plff in Error, vs. Charles Manley, as Sheriff of Shoshone County, State of Idaho, et al. } In Error to the Supreme Court of the State of Idaho.

115.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and on a motion to dismiss which was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

H. H. Rose, Plff in Error, vs. The State of Kansas on the relation of C. C. Coleman, Attorney General. } In Error to the Supreme Court of the State of Kansas.

360.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

1105. Vasko Perovich
vs. Appellant in Error,
The United States.

Mr. Solicitor General Hoyt, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

1131. The Union Bridge Co.,
vs. Appellant in Error,
The United States.

Mr. Solicitor General Hoyt, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

369. J. G. Rawlins,
vs. Appellant,
J. F. Casemore, Sheriff &c.

Mr. J. H. Ralston, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to prosecute this cause in forma pauperis and that the record be printed at public expense.

1160. Alexander D. Shaw et al.,
vs. Petitioners.
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward S. Hatch, in support of the same, and Mr. Solicitor General Hoyt, in opposition thereto.

9244. Albert K. Hiscock, Trustee &c.,
vs. Appellant,
The Varick Bank of New York

The motions to dismiss or affirm in this cause

consideration of the Court on the record and printed arguments by Mr. F. M. Cyarke, in support of the same, and Mr. Will B. Crowley, in opposition thereto; and leave was granted counsel for the defendant in error to file a reply brief within one week.

1162. Herring-Hall-Marvin Safe Co., Petitioner, vs. Hall's Safe Company et al. The petition and cross-petition for a writ of certiorari herein were submitted to the consideration of the Court by Mr. Lawrence Maxwell, Jr., and Mr. Charles N. Aldrich, of counsel for the petitioner, and Mr. W. C. Cochran and Mr. Judson Harmon, of counsel for the respondent.

211. Haight & Freese Co., et al., vs. Riff in Error, Beverly K. Robinson, Receiver &c. The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. Roger Foster, in support of the same, and, Mr. Albert L. Sire, of counsel for the plaintiffs in error, submitted a printed brief in opposition to the submission of the motion.

48. William A. Andrews, vs. Riff in Error, Eastern Oregon Land Co. On motion of Mr. S. M. Stockslager, of counsel for the plaintiff in error, leave is hereby granted him to file additional briefs herein.

910. William J. Gallagher, Plff in Error, vs. The People of the State of Illinois. In Error to the Supreme Court of the State of Illinois.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

1165. Rosa M. Cole, Executrix, &c., Petitioner vs. The City of Indianapolis et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Ferdinand Winter, and Mr. Alexander C. Ayres, in support of the same, and Mr. Frederick E. Matson, Mr. Henry Warrum and Mr. Merrill Moores, in opposition thereto.

1614. John C. Hammond Plff in Error, vs. William H. Whittredge, Trustee, et al. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Hamer Ozro Kyle, in support of the same, and Mr. Hodris R. Bailey, in opposition thereto.

51. Ann E. J. Cruit vs. Appellant, Kate Dean Owen et al. / The argument of this cause was continued by Mr. E. H. Thomas, of Counsel, for the appellant, and Mr. Chapin Brown, of Counsel for the appellees, and concluded by Mr. E. H. Thomas, of Counsel for the appellant.

50. The Mercantile Trust & Deposit Company of Baltimore, vs. Appellant, The City of Columbus et al. / The argument of this cause was commenced by Mr. Joseph Packard, of Counsel for the appellant, and continued by Mr. H. A. Himbish and Mr. J. H. Martin, of Counsel for the appellees, and Mr. Clem J. Wimberly, of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 23d, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that Oliver Mitchell, Esquire, of Boston, State of Massachusetts, and John Robert Taylor, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Shelby, it is ordered that George R. Hunt, George C. Webb, and George S. Shanklin, Esquires of Lexington, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

392. J. L. Rawlins, Appellant vs. J. F. Rosemore, Sheriff &c. — On consideration of the motion for leave to prosecute this cause in forma pauperis and that the record be printed at public expense, it is now here ordered by the Court that said motion be, and the same is hereby denied.

(Per Mr. Chief Justice Fuller.)

50. The Mercantile Trust & Deposit Company of Baltimore, Appellant vs. The City of Columbus et al. — The argument of this cause was concluded by Mr. Olin J. Wimberly, of counsel for the appellant, and leave was granted counsel for the appellant to file an additional brief on or before Friday next.

115 & 116. The Dakota, Wyoming & Missouri River Railroad Co., et al., Plffs in Error, vs. Charles D. Crouch and Francis Seiberling, Trustees. — These cases were argued by Mr. Frederick C. Bryan, of counsel for the defendants in error, and submitted on printed arguments by Mr. William P. Coad, of counsel for the plaintiffs in error.

52. George H. Crossman et al., Plffs in Error, vs. George R. Bidwell. — Ordered by the Court that this cause be, and the same is hereby, passed temporarily.

Thesday October 23d. 1906 Continued

167. The United States, Petitioner, vs. George Riggs & Co. This cause was argued by Mr. Assistant Attorney General McReynolds, of Counsel for the Petitioner, and Mr. W. Wickham Smith, of Counsel for the Respondent.

53. James Goudy Plff in Error, vs. Edward Meath, Assessor &c. This cause was submitted to the Consideration of the Court on the record and a Printed argument by Mr. Walter Christian, of Counsel for the Plaintiff in Error. No Counsel appeared for the defendant in error.

54. Martin Conboy, Trustee &c., Appellant, vs. First National Bank of Jersey City. This cause was argued by Mr. Martin Conboy, of Counsel for the appellant, and Mr. William G. Wilson, of Counsel for the appellee.

55. The Security Trust & Safety Vault Co. of Lexington, Ky, Trustee &c., Plff in Error, vs. The City of Lexington, Ky, et al. plaintiff in error. The argument of this cause was commenced by Mr. John T. Shelby, of Counsel for the

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes
William R. Day,
Associate Justices.
John M. Wright Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George H. Lemar it is ordered that H. M. Stephens, Esquire of Spokane, State of Washington, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George D. Watrous it is ordered that Leonard M. Daggett, Esquire of New Haven, State of Connecticut, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marcellus Green it is ordered that William R. Harper, Esquire, of Jackson, State of Mississippi,

of this Court and he was sworn accordingly.

65. James Van Buren, Appellant, vs. E. T. Hennessy, Testamentary Executor of the last will and testament of Mathilda Hennison, and Louis Joseph. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

55. The Security Trust & Safety Vault Co., of Lexington, Ky. Trustee &c., Plff in Error, vs. The City of Lexington et al. The argument of this cause was continued by Mr. John P. Shelby, of counsel for the plaintiff in error, Mr. George C. Webb and Mr. George S. Shanklin, of counsel for the defendants in error, and concluded by Mr. George R. Hunt, of counsel for the plaintiff in error.

56. The U.S. ex rel. George A. Lowry et al., Plffs in Error, vs. Frederick I. Allen, Commr of Patents. The argument of this cause was commenced by Mr. Geo. Mitchell, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. R. Harper it is ordered that Daniel H. Harper, Esquire, of Biloxi, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. M. French it is ordered that Hiram R. Hood, Esquire, of Rochester, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

60. Granville Stuart, Plff in Error, vs. Samuel P. Hauser et al.

On motion of Mr. George B. Colby, of counsel for the plaintiff in error, It is ordered by

be, and the same is hereby, passed, subject to the provi
of section 9 of Rule 26.

148. William H. Andrews, Plff in Error, vs. Eastern Oregon Land Co. — On motion of Mr. A.B. Du of counsel for the defend in error, leave is hereby g ed him to file a supplem brief herein.

26. The U.S. ex rel. George A. Lowry et al, Plffs in Error, vs. Frederick I. Allen, Commr of Patents. — The argumen this cause was continued by Oliver Mitchel of counsel for the plaintiffs in error, and Mr. Assista Attorney General McReynolds, of counsel for the defen ant in error, and concluded by Mr. Oliver Mitche of counsel for the plaintiffs in error.

57. The Old Mayne Mutual Life Association of Indianapolis, Plff in Error, vs. Sarah McDonough et al, ants in error. — This cause was arg by Mr. A.S. Worthing of counsel for the pla tiff in error. No com appeared for the de

58. Henry A. Crane, Plff in Error, vs. Cornelius F. Buckley et al. — This cause was argu by Mr. Charles S. Cha of counsel for the plain tiff in error, and leav was granted counsel for the defendants in error to fil

59. Charles K. Offield, Aff in Error,
vs.
The New York, New Haven & Hartford Railroad Company

This cause was argued by Mr. George D. Watrous, of counsel for the defendant in error, and submitted on printed argument by Mr. E. H. Rogers and Mr. H. H. H. Miller, of counsel for the plaintiff in error.

69. Frederick A. Vogt, Appellant,
vs.
Matilda S. Vogt, by her guardian ad litem, Pauline Vogt.

The argument of this cause was commenced by Mr. John C. Gittings, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, October 16th, 1896.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

62.

On motion first made to the Court in this behalf by Mr. Hannis Taylor it is ordered that John H. Rorke, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

63.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that Walter M. Harvey, Esquire, of Tacoma, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

64.

53. James Goudy vs. Elbridge Enos, Edward Merritt Cressey and Charles Henry Cressey.

On motion of Mr. Walter M. Harvey, of counsel for the

66.

thereby granted him to file a brief herein.)

Frederick H. Vogt,
vs. Appellant,
Matilda S. Vogt, by her guardian
ad litem, Pauline Vogt.

The argument of this cause was commenced by Mr. John C. Gillings, of Counsel for the appellant. The Court declined to hear further argument.)

Frederic L. Grant Shoe Co.,
vs. Appellant,
E. M. Laird Company.)

This cause was argued by Mr. P. M. French, of Counsel for the appellant, and Mr. Hiram R. Wood, of Counsel for the appellee.)

The Mississippi Railroad Commission et al,
vs. Appellants,
The Illinois Central Railroad Co.

This cause was argued by Mr. Marcellus Green, of Counsel for the appellants, and Mr. Edward Mayes, of Counsel for the appellee.)

Reuben L. Martin,
vs. Plff in Error,
The Pittsburg & Lake Erie R.R.Co.

The argument of this cause was commenced by Mr. Charles Koonce, Jr., of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 2-4th, 1905.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John F. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A.W. Harper it is ordered that Walter J. Lex, Esquire, of Bay St. Louis, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly. 25.

On motion first made to the Court in this behalf by Mr. N.A. Dodge it is ordered that R.B. Boone, Esquire, of Durham, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J.B. Thompson it is ordered that Morven Thompson,

practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Arthur L. Fullman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. F. Greene it is ordered that Alford W. Cooley, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Fidelity Mutual Life Insurance Company, vs. William H. Clark, Morris A. Coggins, Charles N. Culberson, and Phillips Investment Company. Appellant, Appeal from the Circuit Court of the United States for the Northern District of ~~the State of~~ Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of ~~the State of~~ Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, ~~dissenting: Mr. Justice Holmes.~~ Per Mr. Justice Holmes.

164. John C. Hammond, Aff'in Error, vs. William H. Whittredge, Trustee, et al.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

405. Vuko Perovich, Aff'in Error, vs. The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 21st, 1907.

Per Mr. Chief Justice Fuller.

1131. The Union Bridge Company, Aff'in Error, vs. The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Monday, December 3d next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

469. James W. Donnell, Petitioner vs. Herring-Hall-Marvin Safe Company et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

470. Herring-Hall-Marvin Safe Company, Petitioner, vs. Hall's Safe Company et al. On petition and cross-petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition and cross-petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition and cross-petition be, and the same are hereby, granted.

Per Mr. Chief Justice Fuller.

1160. Alexander D. Shaw, Caro B. Shaw, & Munson G. Shaw, trading under the firm-name and style of Alexander D. Shaw & Company, Petitioners. vs. The United States. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1165. Rosa M. Cole, Executrix of the last will of Byron C. Quinby, deceased, Petitioner, vs. The City of Indianapolis, Consumers Gas Trust Company et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

108. Ferdinand Eidman, Collector of Internal Revenue, Petitioner, vs. Frederick B. Tilghman, Elizabeth B. Flagg, and George P. T. Brittan, Executors of Frederick H. Brittan, deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Chief Justice Fuller.

6. Thomas F. Wilson, on behalf of The Territory of Arizona, Appellant, vs. N. O. Murphy, George H. Vickers, T. H. Pemberton and B. Heyman. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the

7. Thomas F. Wilson, on behalf of The Territory of Arizona, Appellant, v. George H. Vickers, D. H. Pomberton, and B. Heyman. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

241. Haight & Freese Company, Plaintiffs in Error, v. William H. Lillis, George G. Turner, and Harvey Watson, Defendants in Error, Beverly R. Robinson, one of the Receivers of the property of Haight & Freese Company. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel on a motion to dismiss or affirm. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

67. Frederick H. Vogt, Appellant, vs. Matilda S. Vogt by her guardian ad litem, Pauline Vogt. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

36. Hugh P. Strong, Mary A. Strong, Josiah M. Vale et al., Plffs in Error, vs. Buffalo Land and Exploration Company. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

115. The Dakota, Wyoming & Missouri River Railroad Company et al. vs. Charles D. Crouch and Francis Seibeling, Trustees. } In Error to the Supreme Court of the State of South Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

116. The Dakota, Wyoming & Missouri River Railroad Company et al., vs. Charles D. Crouch and Francis Seibeling Trustees. } In Error to the Supreme Court of the State of South Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

1193. George R. Finch et al., vs. Maryland Casualty Co. Petitioners, The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. P. J. McLaughlin in support of the same, and Mr. Emerson Hadley, in opposition thereto.

8. Ann Francis vs. Peter J. Francis et al. Plff in Error, On motion of Mr. N. T. Critchfield, leave is hereby granted Counsel for the defendants in error to file an additional brief herein within three weeks.

348. Julian Castillo Slaughter, Olga Evans Rogers, W. J. Lambert, guardian of Roy L. Evans Slaughter, et al., vs. Cecile R. Loeb, Executrix of Samuel E. Loeb, deceased. Appellants, Appeal from the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr. Charles L. Bailey, in behalf of Counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

348. Julian Castillo Slaughter et al., Appellants, vs. Cecile R. Loeb, Executrix &c.; It is ordered by the Court that a mandate in Cause be issued at once.

57. The Old Hayne Mutual Life Association of Indianapolis, Plff in Error, vs. Sarah McDonough et al.; On motion of Mr. L. Bailey, in behalf of counsel for the plaintiff in error, leave is hereby granted to file an additional brief on or before Friday next.

66. Reuben L. Martin, Plff in Error, vs. The Pittsburg & Lake Erie Railroad Company; The argument of the Cause was continued by Mr. Charles Kooner of Counsel for the plaintiff in error, and Mr. P. Wilson, of Counsel for the defendant in error, and concluded by Mr. Charles Kooner, Jr., of Counsel for the plaintiff in error.

392. J. G. Rawlins, Appellant, vs. J. F. Casemore, Sheriff &c.; This Cause was argued by Mr. John Randolph Gr. of Counsel for the appellant, and submitted on printed argument by Mr. John C. Hart and Mr. W. Thomas, of Counsel for the appellee.

67. Alfred H. Burt et al. vs. Plffs in Error, William H. Smith. This cause was argued by Mr. Norris Morey, of Counsel for the Plaintiffs in Error, and Mr. Milton A. Fowler, of Counsel for the defendant in error.

68. H. S. Kul, Jr., et al., vs. Appellants, E. E. Douville. The argument of this cause was commenced by Mr. D. W. Harper, of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 30th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

67. Alfred H. Bunt et al., Plffs in Error, v. William W. Smith.

On motion of Mr. Norris Morey, of Counsel for the plaintiffs in error, leave is hereby granted him to file a supplemental brief herein on or before Friday next.

197. The Cleveland Electric Railway Company, Appellant, v. The City of Cleveland et al.

Mr. J. W. Warrington, of Counsel for the appellant, submitted to the consideration of the Court a motion for a restraining order herein.

112.

68.

Henry M. Earle, Administrator &c. de bonis non with the will annexed of William E. Earle, deceased, Appellant vs. Thomas E. Waggaman, Administrator de bonis non with the will annexed of James H. Causten, deceased.

Mr. John C. Fitzinger, of counsel for the appellant, suggested the death of Thomas E. Waggaman, Administrator de bonis non with the will annexed of James H. Causten, deceased, the appellee in this cause, and moved the Court for an order, under the 15th Rule, to make the proper representatives of James H. Causten parties. Thereupon, It is now here ordered by the Court that unless the proper representatives of the said James H. Causten shall voluntarily become parties within the first ten days of the ensuing term of this Court, the appellant shall be entitled to open the record, and on hearing have the decree reversed, if it be erroneous: Provided, however, That a copy of this order shall be printed in some newspaper of general circulation within the District of Columbia, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

Per Mr. Chief Justice Fuller.

S. Keel, Jr., et al., Appellants, vs. E. E. Donville.

The argument of this cause was continued, by Mr. D. W. Harper, of counsel for the appellants, and Mr. Walter J. Lex, of counsel for the appellee, and

appellants.

67. The United States, Appellant, vs. Theodore Dalcour et al.

The argument of this cause was commenced by Mr. Solicitor General Hoyt, of Counsel for the appellant, and continued by Mr. William A. Blount, of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that Abram P. Staples, Esquire, of Lexington and Waller R. Staples, Esquire, of Roanoke, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry W. Blair it is ordered that Charles W. Bliss, Esquire, of Muskogee, Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Sheraft, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

197. The Cleveland Electric Railway Co, Appellant, vs. The City of Cleveland and The Forest City Railway Co. On consideration of the motion of The Cleveland Electric Railway Company for an injunction herein, It is now here ordered by the Court that cause be shown by The City of Cleveland and The Forest City Railway Company before this Court, at the City of Washington, on Friday, November 9, 1906, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why said injunction should not be granted.

per Mr. Chief Justice Fuller.

453. D.H.

197. The Cleveland Electric Railway Co., Appellant, vs. The City of Cleveland and The Forest City Railway Co. On consideration of the motion of Counsel for the appellant herein, It is now here ordered by the Court that the appellees herein, The City of Cleveland and The Forest City Railway Company, and each of them, their agents, servants, attorneys, and representatives be, and they are hereby enjoined from in any manner interfering with the appellant in the use of its street railroad tracks and property involved in this cause upon Central Avenue, Quincy

G. 70. 71.

the determination of this cause by this Court.
(Per Mr. Chief Justice Fuller.)

C. A. Scott et al., Petitioners, v. Charles P. Grice, an infant &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Holmes Conrad and Mr. C. H. Scott, in support of the same.

Leonidas M. Lawson et al., Petitioners, v. United States Mining Co. On motion of Mr. A. S. Worthington, leave is hereby granted Counsel for the respondent to file a reply brief within ten days.

The United States, Appellant, v. Theodore Dalcour et al. The argument of this cause was continued by Mr. William A. Blount and Mr. Henry R. Hatfield, of Counsel for the appellees, and concluded by Mr. Robert A. Howard, of Counsel for the appellant. Leave was granted Counsel for the appellees to file a supplemental brief herein.

George W. Crowe, Appt, v. Henry Harmon, Admr &c.
George W. Crowe, Appt, v. M. M. Dickey, Admr &c.
These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Seth E. Hazzard and Mr. A. C. Keegin of Counsel.

to file briefs hereafter.

72. Tomas Garozzi et al., Appellants, v. Juana Dastas.

The argument of this cause was commenced by Mr. C. M. Berman, of Counsel for the appellants, and continued by Mr. Frederic D. McKenney, of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice,
John M. Harlan,
David J. Brewer
Edward D. White, Associate
Rufus W. Peckham, Justices
Oliver Wendell Holmes,
William R. Day

John M. Wright Esquire, Marshal,
James H. McKenney Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. Joseph D. Sullivan it is ordered that Joseph H. Heintzman, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. P. Guernsey it is ordered that George G. Henry, W. G. Harrison, W. H. Bremner, and M. H. Cohen, Esquires, of Des Moines, State of Iowa, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank W. Christian it is ordered that Samuel A.

admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

In Re In the matter of The Montana Mining Company, Limited, Petitioner. (Original.)

On motion of Mr. Arthur Brown, of counsel, leave is hereby granted to file a return of Hon. [illegible] to the rule to show cause issued herein.

N. Hunt, U.S. District Judge,

72. Tomas Gavroji et al., Appellants, vs. Juana Dastas.

The argument of this cause was continued by Mr. Frederic D. McKenney, of counsel for the appellee, and concluded by Mr. Fritz Briesen, of counsel for the appellants.

73. William S. Dexter et al., Trustees &c., Plffs in Error, vs. Salem D. Charles et al., as Board of Street Commissioners &c.

It is ordered by the Court that this cause be and the same is hereby continued until the next term per stipulation of counsel.

76. Amelia C. Travers et al., Appellants, vs. Maria L. Reinhardt et al.

On motion of Mr. [illegible] J. Colbert, of counsel for the appellees, leave is hereby granted to three counsel to argue this cause orally for the appellees.

76. Amelia C. Travers et al., Appellants, v. Maria L. Reinhardt et al.

The argument of this cause was commenced by Mr. Bernard Carter, of counsel for the appellants, and continued by Mr. William A. Gordon, Mr. M. J. Colbert, and Mr. George E. Hamilton, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Monday, November 2d, 1896.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. D. G. Perkins it is ordered that Frank T. Brown, Esquire, of Norwich, State of Connecticut be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Birney it is ordered that C. H. Stanley, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. C. Zacharie it is ordered that Gustave Lemle and

be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Charles F. Ainsworth and J. H. Reed Intervenors on behalf of Keystone Copper and Gold Mining Company Appellants

vs.

106. John M. Evans and Jennie C. Evans, (his wife.)

Mr. Samuel Maddox, in behalf of Counsel for the appellants suggested the death of John M. Evans one of the appellees in this cause, and moved the Court for an order under the 15th rule to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said John M. Evans deceased as aforesaid shall voluntarily become parties within the first ten days of the ensuing term of this Court, the appellants shall be entitled to open the record, and on hearing have the decree reversed, if it be erroneous; Provided, however, That a copy of this order shall be printed in some newspaper of general circulation within the Territory of Arizona for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court thereby ensuing.

Per Mr Chief Justice Fuller.

85. Fritz Durein, Plff in Error, vs. The State of Kansas,
86. Fred Ross et al, Plffs in Error, vs. The State of Kansas,
87. Fred Simmons et al, Plffs in Error, vs. The State of Kansas,
88. James Sheasley, Plff in Error, vs. The State of Kansas.

It is ordered by the Court that these Cases be and the same are hereby Continued until the next term, per Stipulation of Counsel.

76. Amelia C. Travers et al, vs. Maria L. Reinhardt et al. Appellants. The argument of this Cause was Concluded by Mr. A. A. Birney, of Counsel for the appellants.

77. Ann M. Hairston, vs. The Danville & Western Railway Company. Plff in Error. It is ordered by the Court that this Cause be and the same is hereby, Continued until the next term, per Stipulation of Counsel.

78. The Texas & Pacific Railway Co., vs. The Abilene Cotton Oil Co. Plff in Error, This Cause was argued by Mr. D. D. Duncan, of Counsel for the plaintiff in error, and Mr. Hannis Taylor, of Counsel for the defendant in error.

79. The Texas & Pacific Railway Co., vs. The Cisco Oil Mill. Plff in Error, This Cause was submitted to the Consideration of the Court on

arguments by Mr. John F. Dillon, Mr. Winslow S. Pierce and Mr. D. D. Duncan, of Counsel for the Plaintiff in Error, and Mr. John J. Butts, of Counsel for the defendant in Error.

80. Franklin S. Jerome vs. Plff in Error. Charles R. Ogswell et al. This cause was argued by Mr. Donald F. Perkins of Counsel for the Plaintiff in Error, and Mr. Frank T. Brown, of Counsel for the defendant in Error.

81. Charles Down et al. vs. Plffs in Error. Enos C. Walling. On motion of Mr. S. M. Stockslager, of Counsel for the Plaintiffs in error, It is ordered by the Court that this cause be, and the same is hereby, passed, to be heard with Case No. 147 as one case when the latter is reached.

82. Home Savings Bank, Plff in Error, vs. The City of Des Moines et al.
83. People's Savings Bank, Plff in Error, vs. The City of Des Moines et al.
92. Des Moines Savings Bank, Plff in Error, vs. The City of Des Moines et al.

On motion of Mr. N. P. Guernsey, of Counsel, It is ordered by the Court that these cases be heard together as one case and that three Counsel be allowed to argue orally for the Plaintiffs in Error.

The argument of these cases was commenced by Mr. N. P. Guernsey, of Counsel for the Plaintiffs in Error in Nos. 82 and 92.

Proclamation being made the Court is adjourned until

Monday, November 5th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Vale it is ordered that Merrill J. Gordon, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

179. The County Commissioners of Micmico County, Petitioners, vs. Samuel Bancroft, Jr. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel.

and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Maryland with directions to dismiss the bill.

Per Mr. Justice Day.

37. The Covington & Cincinnati Bridge Company, Appellant in Error, vs. S. W. Hager, Auditor of Public Accounts of the Commonwealth of Kentucky. In Error to the Circuit Court of the United States for the Eastern District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Kentucky, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, modified so as to direct a dismissal for the want of jurisdiction, and, as so modified, that said judgment be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

8, Original. Ex parte In the matter of George Moran, Petitioner. On consideration of the petition for writs of Habeas Corpus and cer-

return to the Rule to show cause, and of the argument of Counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged, and that said petition be, and the same is hereby, denied.

Per Mr. Justice Holmes.

110. Northern Assurance Company of London, Aff'ts in Error, vs. Grand View Building Association. In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with Costs.

Per Mr. Justice Holmes.

125. Daniel Red Bird et al., Citizens of the Cherokee Nation by blood, Appellants, vs. The United States,

126. The Cherokee Nation, Appellant, vs. The United States,

127. Francis B. Pete et al., intermarried White persons claiming to be entitled to citizenship in the Cherokee Nation, Appellants, vs. The United States,

And

by intermarriage, Appellants,

195. v.

The United States.

Appeals from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

Albert K. Hiscock, Trustee, &c.,

244. v. Appellant,

The Varick Bank of New York.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is, hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

George R. Finch, Elbert A. Young, Constantine J. McConville et al.,

423. v. Petitioners,

Maryland Casualty Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari

Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1153. O. H. Scott, O. H. Scott, Administrator of J. H. Logan, deceased, et al., Petitioners, vs. Charles P. Guice, an infant, by his next friend John A. Guice. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

5, Original. The State of Georgia, Complainant, vs. The Tennessee Copper Co., et al. On consideration of the demurrer herein and of the argument of counsel thereupon had, It is now here ordered by the Court that said demurrer be, and the same is hereby, overruled, without prejudice to any question, and leave is hereby granted to the defendants to answer; and the parties are ruled to come to issue on or before November 19, 1906.

It is further ordered that the complainant close

defendants on or before January 18, 1907, and the cause is set for final hearing on Monday, February 25, 1907.

It is further ordered that leave be, and the same is hereby, granted to use the affidavits on file as proofs, as counsel may be advised.

It is further ordered that the motion for a restraining order pending the final hearing be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

68. W. S. Keel Jr., Sallie T. Hand, Mary L. Lemon, Lorent T. Keel, and Maggie B. Emmet, Appellants, v. E. E. Donville. Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

399. J. G. Rawlins, Appellant vs. J. F. Passmore, Sheriff of Lowndes County, Georgia. Appeal from the District Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

399. J. G. Rawlins, Appellant vs. J. F. Passmore, Sheriff &c. It is ordered by the Court that the mandate in this cause be issued at once.

Per Mr. Chief Justice Fuller.

117. Interstate Consolidated Street Railway Co., Plff in Error vs. The Commonwealth of Massachusetts. On motion of Mr. Henry M. Boyt, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, dismissed subject to the provisions of section 7 of Rule 16.

69. The United States, Appellant vs. Theodore Dalrymple et al. On motion of Mr. Solicitor General Boyt, of counsel for

that the time within which to file a reply brief herein be, and the same is hereby, extended until Friday next.

407. The Montana Mining Company, Limited, vs. The St. Louis Mining & Milling Company of Montana. Plff in Error.

Mr. William E. Cullen, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

6, Original. State of Washington, Complainant, vs. State of Oregon.

On motion of Mr. M. J. Gordon, of counsel for the complainant, It is now here ordered by the Court that the depositions herein be opened, published and filed, and that the original maps and plats be considered without being presented.

179. Charles S. Landram et al., Executors &c., Appellants, vs. Gabrilla K. Jordan.

On motion of Mr. Charles F. Wilson, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

William T. Holtzman, Aylett P. Holtzman and Ella L. Castleman, Appellants,
v.
Edwin B. Linton, Executor and Trustee of the last will & testament of Mary Almondia, deceased.

774. Appeal f
Court of A
of the Dist
Columbia

It appearing to the Court that a motion by co
for the appellants to dismiss this appeal has
filed, Therefore, in pursuance of said motion,
now here ordered, adjudged, and decreed by th
that this appeal be, and the same is hereby, dis
with costs.

Per Mr. Chief Justice Fu

The St. Marys Frames American Petroleum Company, Plff in Error,
v.
The State of West Virginia.

98. This cause
submitted
consideral
the Court on
record and p

arguments by Mr. W. E. Chilton, of counsel for
plaintiff in error, and Mr. Clarke W. May, of c
for the defendant in error.

87. Home Savings Bank, Plff in Error, v. The City of Des Moin
83. Peoples Savings Bank, Plff in Error, v. The City of Des Moin
92. Des Moines Savings Bank, Plff in Error, v. The City of Des Mo

The argument of these cases was continued
Mr. N. P. Guernsey, of counsel for the plaintiff in
in Nos. 83 and 92, Mr. William G. Harrison of co

of Counsel for the defendants in Error, and Concluded by Mr. George F. Henry, of Counsel for the Plaintiff in Error in No. 92.

No. 92. The Shin Haven & Westville Railroad Company, Plff in Error, v. The City of New Haven.

The argument of this Cause was Commenced by Mr. George D. Watrous, of Counsel for the Plaintiff in Error.

Proclimation being made the Court is adjourned until tomorrow at twelve o'clock.

Monday November 6, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. A. Birney it is ordered that Richard P. Greene, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Montana Mining Co., Limited, Plff in Error,
v.
The St. Louis Mining & Milling Co., of Montana.
402.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday December 10th, 1906.

Mr. [illegible]

Ex parte In the matter of
The Montana Mining Company, Limited,
13 Original. (Petitioner.)

It is ordered by the Court that the motion to postpone the hearing of this cause, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

A. B. Ballard et al.,
vs. Affs in Error,
123. Charles W. Hunter et al.)

Mr. James K. Jones, in behalf of Counsel for the defendant in error Charles W. Hunter, submitted to the consideration of the Court a suggestion of a diminution of record and a motion for a writ of certiorari which was opposed by Mr. William M. Randolph and Mr. Wassell Randolph, of Counsel for the plaintiffs in error.

E. L. Allen et al.,
vs. Affs in Error,
99. Frances J. Riley.)

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. N. H. Loomis, of Counsel for the plaintiffs in error, and Mr. A. E. Crane and Mr. D. T. Woodburn, of Counsel for the defendant in error.

The Plain Haven & Westville Railroad Company,
vs. Aff in Error,
54. The City of New Haven.)

The argument of this cause was continued by Mr. George D. Watrous, of Counsel for the plaintiff in error, and Mr. Leonidas M. Daggett and Mr. E. P. Arvine, of Counsel for the de-

Tuesday, November 6th, 1906, Continued.

Russell, of counsel for the plaintiff in error.

Ex Parte In the matter of The Montana Mining Company, Limited, (Petitioner.)

No. 13, Original.

The argument of this case was commenced by Mr. H. E. Cullen, of Counsel, for the Petitioner, and continued by Mr. Arthur Brown and Mr. Jackson H. Ralston, of counsel for the Respondents.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Harry A. Hall it is ordered that C. K. Alexander, Esquire, of Jackson, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harris Taylor it is ordered that E. M. Harwood, Esquire, of Butte City, State of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John Hoods & Sons,
vs. Riffs in Error,
107. Thos. Riffs in Error.

This cause was submitted to the consideration of

and printed arguments by Mr. A. C. Meehem, of Counsel for the plaintiffs in error, and Mr. John Fletcher of Counsel for the defendant in error.

Ex parte In the matter of The Montana Mining Company, Limited, (Petitioners. 13, Original.)

The argument of this case was continued by Mr. Jackson A. Ralston, of Counsel for the respondents, and concluded by Mr. Charles E. Hughes Jr., of Counsel for the petitioners, and leave was granted, Counsel to file additional briefs on or before Friday next.

The National Council Junior Order of United American Mechanics of North America et al., v. Appts in Error, 89. The State Council of Virginia of Junior Order United American Mechanics of the State of Virginia. (

The argument of this cause was commenced by Mr. C. V. Meredith of Counsel for the plaintiffs in error, and continued by Mr. Samuel A. Anderson and Mr. Frank K. Christian, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes
William R. Day
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Moody it is ordered that Dana Malone, Esquire, of Greenfield, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Mary Philbrook of Newark, State of New Jersey, and Charles K. Arter, Esquire, of Cleveland, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. King it is ordered that Archie [illegible] Stewart, Esquire, of Columbus, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn according

On motion first made to the Court in this behalf by Mr. Frank Spurlock it is ordered that George [illegible] Westmoreland, Esquire, of Atlanta, State of Georgia be admitted to practice as an attorney and counsellor of this Court and he was sworn according

100. The United States, Plff in Error, vs. The Torrey Cedar Co.
101. The United States, Plff in Error, vs. The Prime Lumber Co.

On motion of Mr. Solicitor General Hoyt, it is ordered by the Court that these cases be, and they are hereby, passed subject to the provisions of section 4 of Rule 16.

94. Leonidas M. Lawson et al., Petitioners, vs. United States Mining Co.

On motion of Mr. [illegible] Worthington in behalf of counsel for respondent it is ordered that the time within which to file additional brief herein and the same is hereby, extended to the 14th inst.

104. Henry A. M. Smith, Receiver &c., Plff in Error, vs. R. H. Jennings, Treasurer &c.

It is ordered by the Court that this case be, and the same is hereby, passed subject to the provisions of [illegible]

87. The National Council, Junior Order United American Mechanics of North America, et al, (Plffs in Error,) v. The State Council of Virginia, Junior Order United American Mechanics of the State of Virginia.) The argument of this Cause was continued by Mr. Frank H. Christian, of Counsel for the defendant in error, and concluded by Mr. Ellis G. Kindead, of Counsel for the plaintiffs in error.)

90. Frank A. Guy et al, v. John A. Donald.) The argument of this Cause was commenced by Mr. D. Tucker Brooke, of Counsel for Guy et al, and Continued by Mr. Robert M. Hughes, of Counsel for Donald, and Concluded by Mr. R. C. Marshall, of Counsel for Guy et al.)

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, November 9th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

91. On motion first made to the Court in this behalf by Mr. Charles L. Frailey it is ordered that George C. Greer, Esquire, of Beaumont, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

93. On motion first made to the Court in this behalf by Mr. A. L. Lawrence it is ordered that DeWitt C. Tanner, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

94.

107. Thomas Milner Harrison vs. Plff in Error
J. A. Magoon et al

On motion of Mr. A. B. Browne, in behalf of coun-

Court that this cause be, and the same is hereby, passed
temporarily.

Mrs. Camille Cahen et al.,
vs. Plffs in Error,
John Brewster, Tax Collector &c,
et al.,

The argument of this cause was commenced by Mr. Charles Rosen, of counsel for the plaintiffs in error, continued by Mr. F. C. Zacharie, of counsel for the defendants in error, and concluded by Mr. Gustave Semle, of counsel for the plaintiffs in error, and leave was granted counsel for the defendants in error to file an additional brief within two days.

Katie Moeschen,
vs. Plff in Error,
The Tenement House Department of the City of New York.

This cause was argued by Mr. Adolph Block, of counsel for the plaintiff in error, and Mr. Theodore Connolly, of counsel for the defendant in error.

Chattanooga Foundry and Pipe Works et al.,
vs. Plffs in Error,
City of Atlanta,

The argument of this cause was commenced by Mr. Frank Spurlock, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned

Monday, November 12th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Langdon Parker Marvin, Esquire, of New York City, and Elmer E. Whitted, Esquire, of Denver, State of Colorado, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

67.

On motion first made to the Court in this behalf by Mr. M. D. Purdy it is ordered that George B. Shattuck, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rundin Mason it is ordered that [illegible]

Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that Henry W. Herbert and W. Benton Crisp, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that Albert G. Davis, Esquire, of Schenectady, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Alfred N. Burt and Joseph J. Lindele, Plffs in Error, vs. William W. Smith, } On Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Holmes.

167. The United States, Petitioners, v. George Riggs & Co. On writ of certiorari to the States Circuit Court of A for the Second Circuit.

This cause came on to be heard on the transcript record from the United States Circuit Court of A for the Second Circuit, and was argued by Co On consideration whereof, It is now here ordered judged, and decreed by this Court that the dec the said United States Circuit Court of Appeals in cause be, and the same is hereby, reversed; and this cause be, and the same is hereby, remande the Circuit Court of the United States for the Sout District of New York with directions to affi the decision of the Board of General Appraise

Per Mr. Justice Holmes

28. Charles M. Taylor, Appellant, v. Thomas Burns, John A. Duncan, and S. R. Kauffman, Appeal from th Supreme Court the Territory o Arizona.

This cause came on to be heard on the transcr the record from the Supreme Court of the Territo Arizona, and was argued by counsel. On consi ation whereof, It is now here ordered, adjudg and decreed by this Court that the decree of the Supreme Court in this cause be, and the same i hereby, affirmed with Costs.

Per Mr. Justice Brewer

118. William H. Andrews, Plff in Error, vs. Eastern Oregon Land Co. In Error to the Supreme Court of the State of Oregon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

3, Original. The State of Kansas, Complainant, vs. The State of Colorado et al.

It is ordered by the Court that this cause be, and the same is hereby, assigned for hearing on Monday, December 7th next, at the head of the call for that day.

Per Mr. Chief Justice Fuller.

123. A. B. Ballard et al., Plffs in Error, vs. Charles H. Hunter et al.

On consideration of the suggestion of diminution of the record and motion for a writ of certiorari herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted, without prejudice, the alleged record presented with the motion to stand as a return to the writ of certiorari.

Per Mr. Chief Justice Fuller.

93. Katie Moeschen, Pl'ff in Error, vs. The Tenement House Department of the City of New York. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court will take a recess from Monday the 19th instant to Monday, December 3d next.

11, Original. The State of Kansas, Complainant, vs. The United States et al. The motion to dismiss the bill of complaint herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Hoyt, Mr. Attorney General Moody and Mr. Assistant Attorney General Russell, in support of the same, and Mr. C. C. Coleman, Mr. Joseph H. Choate, Mr. James Hagerman, Mr. A. H. Joline, Mr. A. B. Browne, and Mr. Joseph M. Bryson, in opposition thereto.

19, Original. The United States of America, Complainant, vs. John F. Shipp et al. On motion of Mr. Solicitor General Hoyt, of counsel for the Complainant it is ordered by the Court that this cause be, and the same is hereby, assigned for hearing on the preliminary questions of law, without prejudice, on Monday, December 3d next, after No. 369 on the docket.

1190. Mercantile Trust Co. et al., Petitioners, vs. Samuel P. Wheeler, Receiver, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Philip Barton Warren and Mr. Bluford Wilson, in support of the same.

1191. George H. Crichfield, Petitioner, vs. Juan C. Julia. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. L. Laflin Kellogg, in support of the same, and Mr. Henry H. Herbert and Mr. H. Barton Crisp, in opposition thereto.

170. Mason City & Fort Dodge Railroad Co., vs. C. D. Boynton. Mr. Ben Carter, in behalf of counsel for the Railroad Co, submitted to the consideration of the Court a motion for a writ of certiorari to bring up the entire record and cause.

1153. The Chesapeake & Ohio Steamship Company, Limited, Petitioner, vs. Edward Morris. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Parker Kinlin, in support of the same and Mr. William S. Opelyke, in opposition thereto.

72. Tomas Gannozi et al., Appellants, vs. Juana Dasta. On motion of Mr. Frederic D. McKenney, of counsel, for the appellee, leave is hereby granted him to file a certificate of the Secretary of Porto Rico in this cause.

118. Merchants' Heat & Light Co., in Error, vs. James B. Clow & Sons. On motion of Mr. Frederic D. McKenney, in behalf of counsel, it is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 16.

1166. William Sobey, Petitioner, vs. Milford H. Holselaw. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Melville Church, Mr. James H. Peirce, and Mr. George P. Fisher, Jr., in support of the same, and Mr. Edgar M. Kitchen and Mr. Edward T. Fe[illegible]

was granted Mr. Albert J. Davis to file a printed brief herein as amicus curiae.

310. The People of the State of New York ex rel. Albert J. Hatch, Plff in Error, v. Edward Reardon, Chief Officer &c. (Motion to advance this cause.)

Mr. Livingston Farrand Marvin, in behalf of counsel submitted to the Consideration of the Court a motion

402. The Montana Mining Company, Limited, Plff in Error, v. The St. Louis Mining & Milling Company of Montana. (Motion of the record and motion for a writ of certiorari herein.)

Mr. A. B. Browne, of counsel for the plaintiff in error, submitted to the Consideration of the Court a suggestion of diminution

94. Chattanooga Foundry and Pipe Works et al, Plffs in Error, v. City of Atlanta.

The argument of this cause was continued by Mr. Frank Spurlock of counsel for the plaintiffs in error, and Mr. George Westmoreland and Mr. C. P. Goree, of counsel for the defendant in error, and concluded by Mr. Frank Spurlock of counsel for the plaintiffs in error.

197. The Cleveland Electric Railway Co., Appellant, vs. The City of Cleveland et al.
321. The City of Cleveland et al., Appellants, vs. The Cleveland Electric Railway Co.

It is ordered by the Court that these cases be, and they are hereby, advanced and assigned for argument on the merits instanter.

Per Mr. Chief Justice Fuller.

197. The Cleveland Electric Railway Company, Appellant, vs. The City of Cleveland et al.
321. The City of Cleveland et al., Appellants, vs. The Cleveland Electric Railway Company.

The argument of these cases was commenced by Mr. William B. Sanders, of counsel for The Cleveland Electric Railway Co., and continued by Mr. A. C. Westenhaver, of counsel for The Forest City Railway Co.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White,
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

197. The Cleveland Electric Railway Company, Appellant, vs. The City of Cleveland et al.)
321. The City of Cleveland et al., Appellants, vs. The Cleveland Electric Railway Co.

The argument of these causes was continued by Mr. S. C. Western Lawyer of counsel for The Forest City Railway Co. and Mr. Newton D. Baker, of counsel for The City of Cleveland, and concluded by Mr. J. W. Warrington, of counsel for The Cleveland Electric Railway Company.

96. The Yazoo Valley Globe & Northern Railway Co., Plff in Error, vs.

This cause was submitted to the consideration of the Court on

Thursday, November 15th 1906, Continued:

arguments by Mr. Frank H. Burnett of Counsel for the Plaintiff in error, and Mr. Waters Davis, of Counsel for the defendant in error.

Alabama & Vicksburg Railway Co., et al.
vs. } Off's in Error,
The Railroad Commission of the State of Mississippi.

The argument of this cause was commenced by Mr. Henry H. Hall of Counsel for the Plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John F. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hannis Taylor it is ordered that John W. Craine, Esquire, of Linton State of Ohio be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. T. Hought it is ordered that Henry W. Huggins, Esquire, of Hillsboro, State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert A. Howard it is ordered that Edmund Wilson,

to practice as an attorney and counsellor of
Court and he was sworn accordingly.

1166. William Sobey,
Petitioner,
vs.
Milford H. Holcomb.

On motion of Mr. E.
Kitchen, of counsel
the respondent, le
hereby granted, tim
file a reply brief herein.

97. Alabama & Vicksburg Railway Co., et al,
Plffs in Error,
vs.
The Railroad Commission of the State of Mississippi.

The argument
this cause wa
tinued by
Harris Taylo
Mr. C.H. Alexa
of counsel for
fendant in error, and concluded by Mr. Harry
Hall, of counsel for the plaintiffs in error.

103. The Board of Education of the Kentucky Annual Conference of the Methodist Episcopal Church,
Plff in Error,
vs.
The People of the State of Illinois.

This cause w
argued by
Charles A. Al
of counsel fo
plaintiff in e
and Mr. Edw
M. Ashcraft, of counsel for the defendant in er

116. Corwin D. Bechtel. Plff in Error, vs. R. Frank Wilson Sheriff &c.
117. Corwin D. Bechtel Plff in Error, vs. R. Frank Wilson, Sheriff &c.
118. Harvey A. Miller, Plff in Error, vs. R. Frank Wilson Sheriff &c.
119. William L. Davis, Plff in Error, vs R. Frank Wilson, Sheriff &c.
120. Charles A. Hunter Plff in Error, vs. R. Frank Wilson, Sheriff &c.

The argument of these causes was commenced by Mr. William A. Lynch of counsel for the Plaintiffs in error.

Proclimation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, November 15th 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

446. Corwin D. Bachtel, Plff in Error, vs. R. Frank Wilson, Sheriff &c.
447. Corwin D. Bachtel, Plff in Error, vs. R. Frank Wilson, Sheriff &c.
448. Harvey N. Miller, Plff in Error, vs. R. Frank Wilson, Sheriff &c.
449. William L. Davis, Plff in Error, vs. R. Frank Wilson, Sheriff &c.
450. Charles H. VanHorn, Plff in Error, vs. R. Frank Wilson, Sheriff &c.

The argument of these cases was continued by Mr. William A. Lynch of Counsel for the plaintiffs in error, and Mr. Charles C. Upham and Mr. John W. Craine, of Counsel for the defendant in error, and concluded by Mr. William A. Lynch, of Counsel for the plaintiffs in error.

60. Granville Stuart, Plff in Error,
vs.
Samuel T. Hauser et al.

This cause was argued by Mr. George B. Colby, of counsel for the plaintiff in error, and Mr. S. M. Stockslager, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, November 16th, 1906.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Heber J. May it is ordered that Samuel S. Watson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. D. Rosenberg it is ordered that Harry Allen Mendelson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Rea it is ordered that Julius Hochfelder, Esquire, of New York City be admitted to

practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that Clayton D. Smith, Esquire, of New London, State of Connecticut be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

105. Ernest Gatewood, Plff in Error, vs. The State of North Carolina. On motion of Mr. Robert W. Winston leave is hereby granted to Mr. Walter Clark, Jr. to argue this cause orally for the defendant in error.

105. Ernest Gatewood, Plff in Error, vs. The State of North Carolina. This cause was argued by Mr. Robert W. Winston, of counsel for the plaintiff in error, and Mr. Walter Clark, Jr., (by special leave), of counsel for the defendant in error.

108. Ohio Valley National Bank, Plff in Error, vs. John Mullin, Receiver. This cause was argued by Mr. Robert Ramsey, of counsel, for the plaintiff in error, and Mr. Henry M. Huggins, of counsel for the defendant in error.

109. The James McCreery Realty Corporation, Plff in Error, vs. The Equitable National Bank. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Eugene L. Kremer, of counsel for the plaintiff in error, and Mr. Charles A. H of counsel for the defendant in error.

110. David Lamar, Plff in Error, vs. Albert G. Spalding. This cause was arg by Mr. Edmund Wri of counsel for the de ant in error, and s mitted on a printed argument by Mr. Alan Strong and Mr. Harry Mendelson, of counsel the plaintiff in error.

113. Stephen R. Wightman, Plff in Error, vs. The State of Connecticut. It is ordered by the C that this cause be, an same is hereby, pass temporarily.

114. Annie Camp Field et al, Plffs in Error, vs. Barber Asphalt Paving Co. This cause was arg by Mr. R. A. Field counsel for the pla tiffs in error, and mitted on a printed argument by Mr. W. C. Sear of counsel for the defendant in error.

111. Carl S. Reynolds, Plff in Error, vs. The State of Connecticut. This cause was argued by Mr. Clayton B. Smith, of Counsel for the Plaintiff in error, and submitted on a printed argument by Mr. H. A. Hull, of Counsel for the defendant in error.

115. Arthur E. Appleyard, Appellant, vs. The Commonwealth of Massachusetts. This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr. D. S. Minor, of Counsel for the appellant, and Mr. Dana Malone, of Counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 19th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

142. Charles W. Clark vs. P. O. Wells. In Error to the Circuit Court of the United States for the District of Montana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Montana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, modified so as to be made collectible only from the attached property, and as so modified, be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State

The National Council, Junior Order United American Mechanics of North America, et al.,
vs. Plffs in Error,
The State Council of Virginia, Junior Order United American Mechanics of the State of Virginia.)

In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel.)
On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

James Goudy,
vs. Plff in Error,
Edward Meath, Assessor Pierce County, Washington.

In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Justice Brewer.

Martin Conboy, as Trustee in bankruptcy of The Phillips Semmes Glass Company, Limited a bankrupt,
vs. Appellant,
174. First National Bank of Jersey City.

Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Mason City & Fort Dodge Railroad Company,
vs.
170. C. D. Boynton.

On consideration of the motion for a writ of certiorari to bring up the whole record and cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The People of the State of New York ex rel. Albert J. Hatch,
vs. Plff in Error,
310. Edward Reardon, Peace Officer &c.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted and

assigned for argument on Monday, December 10, 1906, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

407. The Montana Mining Company, Limited, (Appellant in Error,) vs. The St. Louis Mining & Milling Company of Montana. On consideration of the suggestion of diminution of the record and motion for a writ of certiorari herein,

It is now here ordered by the Court that said motion be, and the same is hereby, granted, without prejudice, and the record accompanying the motion may stand as a return to the writ.

(Per Mr. Chief Justice Fuller.)

483. The Chesapeake & Ohio Steamship Company, Limited, Petitioner, vs. Edward Morris. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit,

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals, for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

1490. Mercantile Trust Company, Central Trust Company, C.K. Bosworth, Receiver &c., et al., Petitioners. v. Samuel P. Wheeler, Receiver of Jacksonville, Louisville & St. Louis Railway. On petition for of certiorari United States Circuit Court of Appeals for the Seventh Circ

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

1491. George W. Richfield, Petitioner, v. Juan P. Julia. On petition for writ of certiorari United States Circuit Court of A for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

109. The James McCreery Realty Corporation, Plff in Error, vs. The Equitable National Bank. In Error to the City Court of the City of New York.

This cause came on to be heard on the transcript of the record from the City Court of the City of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said City Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

110. David Langer, Plff in Error, vs. Albert G. Spalding. In Error to the Court of Errors and Appeals of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Errors and Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

111. Carl S. Reynolds, Pltff in Error, vs. The State of Connecticut. } In Error to the Supreme of Errors of the Sta Connecticut.

This cause came on to be heard on the transcri the record from the Supreme Court of Errors o State of Connecticut, and was argued by Co On consideration whereof, It is now here ord and adjudged by this Court that the writ of err this cause be, and the same is hereby, dismis the want of jurisdiction.

Per Mr. Chief Justice Fu

4, Original. The United States, Complainant, vs. The State of Michigan. } In Equit

This cause having been called to the attention of Court by Mr. Solicitor General Hoyt, of Counsel f Complainant, and he having moved the Court to d the bill of complaint herein, Therefore, in pursu said motion, It is now here ordered, adjudge decreed by this Court that said bill of complain and the same is hereby, dismissed.

Per Mr. Chief Justice Fu

300. The United States ex rel. Rebecca J. Taylor, Pltff in Error, vs. William H. Taft, Secretary of War. The motion to dis in this cause was mitted to the Cou tion of the Court

arguments by Mr. Solicitor General Hoyt, in support of the same, and Mr. N. E. Dawson, in opposition thereto.

352. The Interstate Commerce Commission, Appellant, vs. The Chicago Great Western Railway Company et al. — Mr. Solicitor General Hoyt, of Counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

481. Addison Johnson, Agent &c., Appellant, vs. Charles C. Browne. — Mr. Solicitor General Hoyt, of Counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

459. Michigan Steamship Co., Petitioner, vs. Hugh McGill et al. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. B. Browne, Mr. J. Parker Kibbin and Mr. C. R. Hickox, in support of the same, and Mr. William Denman, in opposition thereto.

433. Henry Arnold Richardson, Trustee &c., Petitioner, vs. John M. Shaw et al. — Mr. Duane E. Fox, in behalf of Counsel for the Petitioner, submitted to the consideration of

advance this cause.

The Ohio Transportation Company et al., Petitioners,
v.
Davidson Steamship Company.

The petition for ... of certiorari ... was submitted ... the consideration ... the Court on ...

arguments by Mr. Harvey D. Goulder, Mr. S. H. ... Mr. F. S. Monlux, and Mr. H. C. Hunch, in support ... same, and Mr. C. E. Kremer and Mr. F. H. ... in opposition thereto.

386. The Central of Georgia Railway Co., Plff in Error,
v.
William A. Wright, Comptroller General &c., et al.

Mr. John G. ... of counsel ... defendants ... Error, submitted ... to the consideration ... of the Court ... motion to ... this case.

384. The Georgia Railroad & Banking Co., Plff in Error,
v.
William A. Wright, Comptroller General &c., et al.

Proclamation being made the Court is adjourned ... Monday, December 3d next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James M. Gifford it is ordered that George R. von Kolnitz, Esquire, of Charleston, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Corcoran Thom it is ordered that George L. Peschau, Esquire, of Wilmington, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Ho
S. Knight, Esquire, of Simbury, State of Pennsylv
be admitted to practice as an attorney and coun
of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf
Mr. Judson Harmon it is ordered that John
VanDeman, Esquire, of Dayton, State of Ohio, be
mitted to practice as an attorney and counse
of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf
Mr. A. B. Bigume it is ordered that A. H. Frow
Esquire, of Los Angeles, State of California, be ad
to practice as an attorney and Counsellor of th
Court and he was sworn accordingly.

On motion first made to the Court in this behalf
Mr. John J. Vertrees it is ordered that James C. M
ford, Esquire, of Nashville, State of Tennessee, b
mitted to practice as an attorney and counsel
of this Court and he was sworn accordingly.

91. The New York Foundling Hospital, Appellant, } Appeal from the Su
v. } Court of the Terri
John C. Hall, } of Arizona.

This cause came on to be heard on the transcript o
record from the Supreme Court of the Territory of Ar
and was argued by Counsel. On consideration whereof

It is now here ordered adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Day.

(Mr. Justice Brewer took no part in the decision of this case.)

68. Henry A. Crane, Aff in Error, vs. Cornelius F. Buckley, Rudolph Spreckels, and Timothy Hopkins. In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be and the same is hereby affirmed, with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

Per Mr. Justice Day.

69. The United States, Appellant, vs. Theodore Dillon et al., heirs of John Forbes, deceased, et al. Appeal from the District Court of the United States, for the Southern District of Florida.

This cause came on to be heard on the transcript of the

Southern District of Florida, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause, be, and the same is hereby, reversed; and that this Cause be, and the same is hereby, remanded to the said District Court with directions to dismiss the petition.

Per Mr. Justice Holmes.

No. 70. Frank N. Guy, W. P. Stenwick et al., vs. John A. Donald. On a certificate from the United States Circuit Court of Appeals for the Fourth Circuit.

This Cause came on to be heard on a Certificate from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the second and third questions certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Holmes.

Chattanooga Foundry and Pipe Works and South Pittsburg Pipe Co., Plffs in Error, vs. City of Atlanta. } In Error to the United States Circuit Court of Appeals for the Sixth Circuit.

No. 41.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, affirmed with costs, and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Tennessee.

Per Mr. Justice Holmes.

Dissenting:
Mr. Chief Justice Fuller and
Mr. Justice Peckham.

The City of Monterey, Plff in Error, vs. David Jacks. } In Error to the Supreme Court of the State of California.

No. 27.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

31. International Trust Co., Plff in Error, vs. John W. Weeks, Agent of the Shareholders of the Broadway National Bank. — In Error to the United States Circuit Court of Appeals for the First Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Massachusetts.

Per Mr Justice McKenna.

51. John E. J. Crnit, Appellant, vs. Kate Dean Owen and Jessie Owen Cupit. — Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

54. Charles K. Offield, Plff in Error, vs. The New York, New Haven & Hartford Railroad Company. Deft. In Error to the Supreme Court of Errors of the State of Connecticut.

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Errors in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

55. The Fair Haven & Westville Railroad Company, Plff in Error, vs. The City of New Haven, Deft. In Error to the Supreme Court of Errors of the State of Connecticut.

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Errors in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

33. National Live Stock Bank of Chicago, Illinois, Aff'g in Error, vs. First National Bank of Geneseo, Illinois. } On Error to the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

50. The Mercantile Trust and Safe Deposit Company of Baltimore, Appellant, vs. The City of Columbus, L. H. Chappell, Mayor, et al. } Appeal from the Circuit Court of the United States for the Northern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to take proceedings therein according to law.

Per Mr. Justice [illegible]

The Security Trust & Safety Vault Company of Lexington, Kentucky, Trustee of Clara D. Bell,

vs. Appeal from the Court of Appeals of the State of Kentucky.

The City of Lexington, Kentucky, and W. P. Gross, Delinquent Tax Collector of said City.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Peckham.

The Mississippi Railroad Commission,

vs. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

The Illinois Central Railroad Company.

This cause came on to be heard on the transcript of record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, it is now ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and

the United States for the Southern District of Mississippi,
Per Mr. Justice Peckham.)

99. C. F. Allen, and Wallace B. Allen, Administrator of the estate of Erasmus M. Allen, deceased, Plffs in Error, v. Frances J. Riley. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by Counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.
Per Mr. Justice Peckham.

Dissenting:
Mr. Justice White and Mr. Justice Day.

102. John Woods & Sons, Plffs in Error, v. Frank Carl. In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by Counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.
Per Mr. Justice Peckham.

Dissenting: Mr. Justice White and Mr. Justice Day.

66. Reuben L. Martin, Plff in Error, vs. The Pittsburg & Lake Erie Railroad Company. In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

30. C. A. Nichols Lumber Company, Plff in Error, vs. Charles Pearson. In Error to the Circuit Court of the United States for the Western District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Washington and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate, per annum that similar judgments bear in the Courts of the State of Washington.

Per Mr. Justice White.

32. Paul Heymann, Pltf in Error, vs. Southern Railway Company. In Error to the Supreme Court of the State of Georgia.

10.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice White.

9. The Atlantic Coast Line Railroad Company, Pltf in Error, vs. The State of Florida upon the relation of H. K. Ellis Attorney General, etc. In Error to the Supreme Court of the State of Florida.

11.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

...tbroard Air Line Railway. In Error to the
vs. Supreme Court of
...State of Florida upon the relation the State of Florida.
...H. E. Ellis, Attorney General, et al.:

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

...aboard Air Line Railway, In Error to the
vs. Supreme Court
...State of Florida upon the of the State of
...lation of H. E. Ellis, Attorney Florida.
...neral, et al.:

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

249. George A. Pettibone, Appellant, vs. Jasper C. Nichols. Appeal from the Circuit Court of the United States for the District of Idaho. 251.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice McKenna.

250. Charles H. Moyer, Appellant, vs. Jasper C. Nichols. Appeal from the Circuit Court of the United States for the District of Idaho. 265.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice McKenna.

William D. Haywood, Appellant, vs. Jasper C. Nichols. Appeal from the Circuit Court of the United States for the District of Idaho.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Idaho, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice McKenna.

George A. Pettibone, Plff in Error vs. E. L. Whitney. On Error to the Supreme Court of the State of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the final order of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice McKenna.

766. Charles H. Moyer, Plff in Error, vs. E. L. Whitney. In Error to the Supreme Court of the State of Idaho. 115.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged, by this Court that the final order of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice McKenna.

767. William D. Haywood, Plff in Error, vs. E. L. Whitney. In Error to the Supreme Court of the State of Idaho. 34.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the final order of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice McKenna.

Arthur E. Appleyard, Appellant, vs. The Commonwealth of Massachusetts. Appeal from the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. (Per Mr. Justice Harlan.)

The Northwestern National Life Insurance Company, Plaintiff in Error, vs. Raphael Riggs and Eugene De Nant, Executors of the Estate of Eber B. Roloson, deceased. In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the

8. Ann Francis, Plff in Error, v. Peter J. Francis, William Francis, and Frank Francis. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

(Mr. Justice White took no part in the decision of this case.)

78. The St. Mary's Franco-American Petroleum Company, Plff in Error, v. The State of West Virginia. In Error to the Supreme Court of Appeals of the State of West Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

214. Fred C. Fisher and Charles C. Cohn, on behalf of Ribas Barcelon, Plffs in Error, vs. Colonel David J. Baker Jr., and Captain John D. Thompson. In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is, hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

60. Granville Stuart, Plff in Error, vs. Samuel T. Hauser, A. M. Holter, Massena Bullard, Trustee, et al. In Error to the Supreme Court of the State of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Annie Camp Field and,
Richard A. Field,
114. vs. Pltff in Error,
Barber Asphalt Paving Company. In Error to Supreme C of the Stat Missouri

This cause came on to be heard on the transcrip the record from the Supreme Court of the State Missouri, and was argued by counsel. On sideration whereof, It is now here ordered adjudged by this Court that the judgment said Supreme Court in this cause be, and the sa hereby, affirmed with costs.

Per Mr. Chief Justice Fulle

The Interstate Commerce Commission,
352. vs. Appellant, In consi tion of tion to this ca It is now
The Chicago Great Western Railway Company et al.

ordered by the Court that said motion be, and same is hereby, granted and the cause assig for argument on Monday, March 4th, 1907, the case heretofore assigned for that day.

Per Mr. Chief Justice Fuller

The Central of Georgia Railway Co.,
380. vs. Pltff in Error, On consideration motion to advan cases, It is now
Wm. A. Wright, Comptroller General, et al.
The Georgia Railroad & Banking Co.,
384. vs. Pltff in Error, ordered by the C that said moti
Wm. A. Wright, Comptroller General, et al.

hereby granted, and the cause assigned for argument on Monday, October 21st, 1907.

Per Mr. Chief Justice Fuller.

133. Henry Arnold Richardson, Trustee &c., Petitioner, vs. John M. Shaw et al. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

181 Addison Johnson, Agent &c., Appellant, vs. Charles C. Brown. On consideration of the motion to advance this cause, it is nowhere ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on Monday, March 4th, 1907, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

459. Michigan Steamship Company, Petitioner, vs. Hugh McGill et al., and Eleanor E. Dow et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon

now here ordered by the Court that said petition and the same is hereby, denied.

Per Mr. Chief Justice F

The Ohio Transportation Co, et al, Petitioners, vs. Davidson Steamship Company. 486. On petition for writ of to the United States Ci of Appeals for the S Circuit.

On consideration of the petition for a writ of certiora to the United States Circuit Court of Appeals for the Si Circuit, and of the argument of counsel thereupon as well in support of as against the same, It is here ordered by the Court that said petition be, a same is hereby, denied.

Per Mr. Chief Justice

82. Home Savings Bank, Plff in Error, vs. The City of Des Moin
83. Peoples Savings Bank, Plff in Error, vs. The City of Des Moin
92. Des Moines Savings Bank, Plff in Error, vs. The City of Des Moi

It is ordered by the Court that these cases be, an are hereby, restored to the docket for reargument

Per Mr. Chief Justice Fulle

William M. Coach, Collector &c., vs. The Philadelphia Trust, Safe Deposit & Insurance Co., et al, Executors &c. 502 & 503. Petitioner,

William M. Coach, Collector &c., vs. George H. Norris et al., Executors &c. 504. Petitioner,

The petition for co certiorari herein submitted to the C sideration of the on printed argum by Mr. Solicitor Ge Hoyt and Mr. Ass

in support of the same and Mr. H. Gordon McCouch, in opposition thereto.

505. The United States, Petitioner, vs. The Marion Trust Co, Trustee. — The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Solicitor General Hoyt and Mr. Assistant Attorney General McReynolds, in support of the same.

194. Marcus K. Bitterman et al., Petitioners, vs. Louisville & Nashville Railroad Co. — Mr. Louis Marshall, of counsel for the petitioners, submitted, to the consideration of the Court a motion to advance this cause.

473. The First National Bank of Vandalia, Illinois, et al., Petitioners, vs. Edward Flickinger. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John N. Van Deman, in support of the same, and Mr. T. E. Powell, in opposition thereto.

553 of O. T. 1905. Robert Sawyer and Arthur Adams, Plffs in Error, vs. The United States. — Mr. Corcoran Thom, of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion for leave to apply to the Circuit Court

standing the judgment entered herein at the last
of this Court and leave was granted Counsel fo
defendant in error to file suggestions in relation t
within two days.

107. The James McEvery Realty Corporation, Plff in Error, vs. The Equitable National Bank.

The motion that
mandate in th
cause be issued
once was subm
to the consider
of the Court on printed arguments by Mr. Freder
McKenney and Mr. Charles A. Hess, in support o
same, and Mr. E. B. Whitney and Mr. E. L. Kremer
opposition thereto.

467. The American Railroad Co. of Porto Rico, Plff in Error, vs. Felicia Cardonade Castro et al.

On motion of Mr
D. McKenney, of C
for the plaintiff
error, it is ordere
the Court that th
cause be, and the same is hereby, advanced an
assigned for argument with case No. 151, as o
case.

498. Edward B. Leigh, Petitioner, vs. Kewanee Manufacturing Co.

The petition for a writ
certiorari herein w
submitted to the Co
sideration of the C
on printed arguments by Mr. John P. Ahrens a
Mr. David S. Cleo, in support of the same, and M
Joseph H. McKeen and Mr. William Reese in opp

1107. The Montana Mining Company, Limited, Petitioner, vs. The St. Louis Mining & Milling Company of Montana. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. A. B. Browne, Mr. Charles J. Hughes, Jr., Mr. H. E. Cullenand Mr. Alexander Britton, in support of the same.

197. The Cleveland Electric Railway Company, Appellant, vs. The City of Cleveland et al. On motion of Mr. J. M. Warrington, of Counsel for the appellant, leave is hereby granted him to file a supplemental brief in this cause.

97. Alabama & Vicksburg Railway Co. et al., Plffs in Error, vs. The Railroad Commission of the State of Mississippi. On motion of Mr. J. Althens Johnson, leave is hereby granted Counsel for the plaintiffs in error to file a supplemental brief in this cause.

439. DeWane B. Smith, Petitioner, vs. Dexter E. Look et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Milton E. Robinson, in support of the same, and Mr. Fred L. Chappell, in opposition

113. Stephen R. Nightman vs. The State of Connecticut. Aff'g in Error, In Error to the Supreme Court of Errors of the State of Connecticut.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

205. The Chicago, Rock Island & Pacific Railway Company vs. D. Roy Mumford. Aff'g in Error, In Error to the Supreme Court of the State of Iowa.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

369. James G. Tinsley, Appt, vs. Morgan Treat, U.S. Marshal, et al.
370. Wm. De C. Kessler, Appt, vs. " " " " "
371. Samuel T. Morgan, Appt, vs. " " " " "
372. Austin B. Carpenter, Appt, vs. " " " " "
373. Fortesque Whittle, Appt, vs. " " " " "
374. Frank E. Wilcox, Appt, vs. " " " " "

375. George Burden, Appt, vs. Morgan Peart, U.S. Marshal, etal.
376. Frank S. Royster, Appt, vs. " " " " "
377. J. Rice Smith, Appt, vs. " " " " "
378. Charles H. Kavanagh, Appt, vs. " " " " "
379. Charles H. McDowell, Appt, vs. " " " " "

The argument of these cases was commenced by Mr. John J. Vertrees, of Counsel for the appellants, and continued by Mr. Assistant Attorney General McReynolds, of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, December 11, 1906.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.,

On motion first made to the Court in this behalf by Mr. John G. Carlisle it is ordered that Walter F. Welch, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lewis Shepherd it is ordered that Robert B. Cooke, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert D. Bailey it is ordered that Frank H. Deal, Esquire, of Troy, State of New Hampshire, be admitted to

as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Virgil Cohen it is ordered that Benjamin Wolf, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joe T. Robinson it is ordered that U. M. Hendricks, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

1493. Frederick Seymour Barrington, Plff in Error, vs. The State of Missouri. Mr. William G. Johnson, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to prosecute this cause in forma pauperis.

369. James G. Tinsley, Appt, vs. Morgan Treat U.S. Marshal, etc.
370. Wm. Deb. Kessler, Appt, vs. " " " " "
371. Samuel T. Morgan, Appt, vs. " " " " "
372. Austin B. Carpenter, Appt, vs. " " " " "
373. Portiquet Whittle, Appt, vs. " " " " "
374. Frank E. Wilcox, Appt, vs. " " " " "
375. George Braden, Appt, vs. " " " " "
376. Frank S. Royster, Appt, vs. " " " " "

Thursday, December 6th, 1906, Continued.

378. Charles F. Burroughs, Appt, vs. Morgan Jeant, U.S. Marshal, et al.
379. Charles K. McDowell, Appt, vs. "

The argument of these cases was continued by Mr. Assistant Attorney General McReynolds, of Counsel for the appellees, and concluded by Mr. John S. Miller, of Counsel for the appellants.

254. The United States, Petitioners, vs. G. Fack & Brother.

This cause was argued by Mr. Assistant Attorney General McReynolds, of Counsel for the petitioner, and Mr. John G. Carlisle, of Counsel for the respondents.

12, Original. The United States of America, Complainant, vs. John P. Shipp et al.

The argument of the preliminary questions herein was commenced by Mr. Solicitor General Hoyt, of Counsel for the Complainant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Rush Taggart it is ordered that Francis Raymond Stark, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp it is ordered that Corydon S. Wilson, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. A. Pradt it is ordered that N. N. Grace, Esquire of Superior, State of Wisconsin, be admitted

Court and he was sworn accordingly.

375. George Braden, Appellant, vs. Morgan Treat, U.S. Marshal, et al.

On motion of Mr. James P. Helm, of counsel for the appellant, leave is hereby granted him to file a supplemental brief herein.

12, Original. The United States of America, Complainant, vs. John P. Shipp et al.

The argument of the preliminary questions herein was continued by Mr. Solicitor General Hoyt, of counsel for the complainant, Mr. Judson Harmon, Mr. Lewis Shepherd, Mr. G. W. Chamlee, and Mr. Robert B. Cooke, of counsel for the defendants, and concluded by Mr. Solicitor General Hoyt, of counsel for the complainant, and leave was granted to counsel for each side to file additional briefs within three days.

1431. The Union Bridge Co., Plff in Error, vs. The United States.

The argument of this cause was commenced by Mr. D. T. Watson, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. T. Hough it is ordered that Thomas Edward Boyd, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that Oscar W. Kuhn, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

431. The Union Bridge Co., Pltf in Error, v. The argument of this cause, was continued by Mr. A.

Pindy, of Counsel for the defendant in error, and concluded by Mr. Johns McCleave, of Counsel for the plaintiff in error.)

119. The Western Union Telegraph Co., Plff in Error, vs. Charles E. Hughes. This cause was argued by Mr. Rush Taggart, of Counsel for the plaintiff in error. No Counsel appeared for the defendant in error.

116. J. B. Orcutt Company et al., Petitioners, vs. Charles A. Green et al.) The argument of this cause was commenced by Mr. Reginald S. Hinde Roper, of Counsel for the petitioners, continued by Mr. H. D. Bailey, of Counsel for the respondents, and concluded by Mr. Charles Cowles Tucker, of Counsel for the petitioners.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.
John M. Wright, Esquire, Marshal.,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. M. Lowitt it is ordered that Charles S. Burton, Esquire, of Chicago, State of Illinois, be admitted to practice, as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Milans it is ordered that Benjamin Phillips, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert W. Bonynge it is ordered that William H.

mitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

170. Charles Zartarian, Appellant vs. George B. Billings, U.S. Commissioner of Immigration &c. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Daniel B. Ruggles, of counsel for the appellant, and Mr. Assistant Attorney General Cooley, of counsel for the appellee.

171. Northern Lumber Co., Appellant, vs. William O'Brien et al. This cause was argued by Mr. C. H. Bunn, of counsel for the appellant, and submitted on a printed argument by Mr. J. N. Searles, of counsel for the appellees.

172. A. B. Ballard et al., Plffs in Error, vs. Charles H. Hunter et al. This cause was argued by Mr. William M. Randolph, of counsel for the plaintiffs in error, and submitted on a printed argument by Mr. L. P. Berry, of counsel for the defendants in error.

172. Johnston Armstrong, Ancillary Receiver &c., Appellant, vs. James A. Ashley et al. The argument of this cause was commenced by Mr. George H. Lamar, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Nathan Burkan, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. G. Milburn it is ordered that E. Crosby Kindelberger, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. C. Cruce it is ordered that H. N. Redwine, Esquire,

practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank L. Campbell it is ordered that Fred N. Barclay, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius M. Mayer it is ordered that James G. Graham, Esquire, of Newburgh, and William Blau, Esquire, of New York City, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jacob N. Lichliter it is ordered that Charles Curry and C. S. W. Barnes, Esquires, of Staunton, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Gaines it is ordered that William Gordon Matthews, Esquire, of Charleston, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State of New Jersey, Appellant, vs. William D. Anderson, Trustee of Cosmopolitan Power Company. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the District Court of the United States for the Northern District of Illinois for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Day.

Dissenting:
Mr. Justice Harlan,
Mr. Chief Justice Fuller and
Mr. Justice Peckham.

The United States ex rel. George A. Lowry and Planters Compress Company, vs. Riffs in Error, Frederick I. Allen, Commissioner of Patents. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the

lumbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with Costs.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Peckham and
Mr. Justice Day.

96. Gila Valley, Globe & Northern Railway Company, Plff in Error, vs. A. J. Lyon. In Error to the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with Costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the Territory of Arizona.

Per Mr. Justice Peckham.

300. The United States ex rel. Rebecca J. Taylor, vs. William H. Taft, Secretary of War. } In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

9, Original. Ex parte In the matter of Abram C. Thisner, Petitioner. } On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that a writ of mandamus be, and the same is hereby, awarded as prayed.

Per Mr. Chief Justice Fuller.

10, Original. Ex parte In the matter of Abram C. Thisner, Petitioner. } On consideration of the petition for a writ of prohibition herein, of the return to the rule to show cause, and of the argument of counsel thereupon

petition be, and the same is hereby, dismissed.

Per Mr. Chief Justice Ful

The James McCreery Realty Corporation, Plff in Error,
v.
109. The Equitable National Bank.

On consideration the motion the mandate in c cause issue a It is now her dered by the Court that said motion be, and i is hereby, granted.

Per Mr. Chief Justice F

Marcus K. Bitterman et al., Petitioners,
v.
294. Louisville & Nashville Rail-road Company.

On consideration the motion to a this cause, It here ordered by Court that sa tion be, and the same is hereby, denied.

per Mr. Chief Justice Ful

Frederick Seymour Barrington, Plff in Error,
v.
493. The State of Missouri.

On considera the motion to prosecute cause in for peris. It is now here ordered by the Court that sa tion be, and the same is hereby, granted, but o parts of the record as are material and neces the consideration of the case will be printed, a must be promptly designated by counsel.

Per Mr. Chief Justice Fuller.

233 of Ct. 1905. Robert Sawyer and Arthur Adams, Plffs in Error, vs. The United States. On consideration of the motion for leave to apply to the Circuit Court to hear and determine a motion for a new trial notwithstanding the judgment entered herein at the last term of this Court, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Der Mr. Chief Justice Fuller.

502. William McCoach, Collector &c, Petitioner, vs. The Philadelphia Trust, Safe Deposit & Insurance Co, et al., Executors &c. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Der Mr. Chief Justice Fuller.

503. William McCoach, Collector &c, Petitioner, vs. The Philadelphia Trust, Safe Deposit & Insurance Co, et al., Executors &c. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third

as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same, is hereby, granted.

(per Mr. Chief Justice Fuller.)

504. William McCoach, Collector &c., Petitioner, vs. George W. Norris et al., Executors &c. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On Consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(per Mr. Chief Justice Fuller.)

505. The United States, Petitioner, vs. The Marion Trust Company, Trustee &c. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On Consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(per Mr. Chief Justice Fuller.)

1166. William Sobey, Petitioner, vs. Milford N. Nobeland } On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

1173. The First National Bank of Vandalia et al., Petitioners, vs. Edward Fleckinger } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1187. DeWane B. Smith, Petitioner, vs. Dexter G. Look et al., } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari,

for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

498. Edward B. Leigh, Petitioner, vs. Kewanee Manufacturing Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

506. The United States, Petitioner, vs. R. Noe & Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Hoyt and Mr. H. Wickham Smith, in support of the same, and Mr. Albert H. Washburn, in opposition thereto.

507. The United States, Petitioner, vs. James C. Morgan. The petition for a writ of certiorari herein was submitted to the consideration

General Hoyt, in support of the same.)

125. Daniel Red Bird et al., vs. Appellants, The United States.
126. The Cherokee Nation, vs. Appellant, The United States.
127. Francis B. Fite et al., vs. Appellants, The United States.
128. The persons claiming rights in the Cherokee Nation vs., vs. Appellants, The United States.

Mr. J. J. Humphill, of counsel for the appellants in No. 125, submitted to the consideration of the Court a motion to amend the judgment entered herein.

386. Katharine Todd Stearns et al., vs. Appellants, James E. Todd et al.)

Mr. C. S. W. Barnes, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.)

252. The State of Montana ex rel. Charles S. Haire, vs. Pff in Error, James H. Rice, State Treasurer.

Mr. M. S. Gunn, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.)

31. International Trust Co., Pltff in Error, vs. John W. Steeds, Agent &c., Deft. in Error. On motion of Mr. Charles P. Wilson, in behalf of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

234. Hiram P. Chapman, Pltff in Error, vs. Florence Elliott Chapman, Deft. in Error. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. E. F. Colladay, Mr. H. F. Gurley, and Mr. J. H. Woodrough, in support of the same, and Mr. William E. Gantt and Mr. Hebert L. Baker, in opposition thereto.

1137. The County Court of Braxton County et al., Pltffs in Error, vs. The State of West Virginia ex rel. C. W. Dillon, State Tax Commr, Defts. in Error. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. William Gordon Mathews and Mr. W. McClohan, in support of the same, and Mr. George E. Price, in opposition thereto. Leave was granted to file a certified copy of the opinion of the Court below herein.

135. Sam Lee and George P. Endicott, Appellants, vs. Herbert E. Ellis. Appeal from the Supreme Court of the Territory of Oklahoma.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, this, therefore, in pursuance of the fourth Rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

192. Johnston Armstrong, Ancillary Receiver &c., Appellant, vs. James A. Ashley et al. The argument of this cause was continued, by Mr. George H. Lincoln, of counsel for the appellant, Mr. J. J. Darlington, of counsel for the appellees, and concluded by Mr. Blair Lee, of counsel for the appellant.

402. The Montana Mining Company Limited, Plff in Error, vs. The St. Louis Mining & Milling Co. of Montana. The argument of this cause was commenced by Mr. Charles J. Hughes, Jr., of counsel for the plaintiff in error, and continued by Mr. W. S. Gunn, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until

Tuesday, December 11th, 1906.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that Everett Dufour, Esquire, of Washington District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wallace Greene it is ordered that Alan D. Kenyon and Frank L. Crawford, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr.

Eugene of New York City be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

424. Samuel B. Raymond, County Treas's, et al, Appts, vs Chicago Union Traction
425. " " " " " " " " Chicago Edison Co.,
426. " " " " " " " " Chicago City Ry Co
427. " " " " " " " " The South Chicago City Ry Co.
428. " " " " " " " " The People's Gas Light & Coke
429. " " " " " " " " Chicago Telephone Co.
430. " " " " " " " " Chicago Consol. Traction

Mr. Haines Conrad, of counsel for the appellants submitted to the consideration of the Court motions to advance these cases.

132. Charles S. Elder vs. Affirmed in Error; The People of the State of Colorado, on the information of George Stidger, District Attorney, on the relation of Charles H. Dudley.

Mr. Henry J. Hersey, of counsel for the defendant in error, suggested the death of Charles H. Dudley and the election of William J. Fine as his successor in office as Treasurer of the City and County of Denver, in the State of Colorado, and moved the Court to make the said William J. Fine, as such Treasurer, as relator, ~~and~~ one of the defendants in error herein. Whereupon, It is now here ordered by the Court that the said William J. Fine, as Treasurer as aforesaid be, and he is hereby, made a party defendant in error in this cause.

402. The Montana Mining Company, Limited, Plff in Error, vs. The St. Louis Mining & Milling Company of Montana.

The argument of this cause was continued, by Mr. M. D. Dunn, of Counsel for the defendant in error, and concluded by Mr. Charles J. Hughes Jr., of Counsel for the plaintiff in error. Leave was granted Counsel for the plaintiff in error to file a printed brief in reply to the motion to dismiss herein on or before Friday next.

310. The People of the State of New York ex rel. Albert J. Hatch, Plff in Error, vs. Edward Reardon, Peace Officer &c.

On motion of Mr. John G. Johnson, of counsel for the plaintiff in error, It is ordered that one hour additional time be allowed for the argument of this cause and that three Counsel be allowed to argue the cause for the plaintiff in error.

310. The People of the State of New York ex rel. Albert J. Hatch, Plff in Error, vs. Edward Reardon, Peace Officer &c.

The argument of this cause was commenced by Mr. John G. Milburn, of Counsel for the plaintiff in error, and continued by Mr. John F. Dillon, of Counsel, for the plaintiff in error.

Proclamation being made the Court is adjourned until, to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. D. W. Pettingill it is ordered that Thomas D. Mott, Jr., Esquire, of San Juan, Porto Rico, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Littlefield it is ordered that George H. Heselton, Esquire, of Gardiner, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Hood it is ordered that Morris Klumpner, Esq.

mitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

130. Louisa Sauer et al., Pffs in Error vs. The City of New York. On motion of Mr. Chandler P. Anderson leave is hereby granted him to file a printed brief herein as amicus curiae, and leave was granted Counsel for the defendant in error to file a reply thereto within three days.

310. The People of the State of New York ex rel. Albert J. Hatch, Pff in Error, vs. Edward Reardon, Place Officer &c. The argument of this cause was continued by Mr. Julius M. Mayer and Mr. E. Crosby Kindleberger, of counsel for the defendant in error, and concluded by Mr. John G. Johnson, of counsel for the plaintiff in error.

[illegible]. Pearl N. Smith, Appellant, vs. Samuel G. Iverson, State Auditor &c. This cause was argued by Mr. H. H. Sauer, of counsel for the appellant, and Mr. C. S. Wilson, of counsel for the appellee.

130. Louisa Sauer et al., Pffs in Error vs. The City of New York. The argument of this cause was commenced by Mr. Abram S. Elkus, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Cooley it is ordered that William H. Armbrecht, Esquire, of Mobile, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Grosvenor it is ordered that Willis A. Tennant, Esquire, of Mayville, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abram J. Elkus it is ordered that James M. Ly-

as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte In the matter of Frank D. Zell, Petitioner. Mr. Charles L. Frailey, of Counsel for the Petitioner, submitted to the consideration of the Court a motion for leave to file a petition for writs of prohibition or mandamus herein.

336. Albert T. Patrick, Plff in Error, vs. The People of the State of New York. In Error to the Court of General Sessions of the Peace for the County of New York, State of New York.

This cause having been called to the attention of the Court by Mr. William Lindsay, of Counsel for the Plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

336. Albert T. Patrick, Plff in Error, vs. The People of the State of New York. On motion of Mr. William Lindsay, of Counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the

mandate in this cause.

130. Louisa Sauer et al, vs. Plff in Error
The City of New York.

The argument of this cause, was continued by Mr. Abram L. Elkus, of counsel, for the plaintiff in error, and Mr. Theodore Connoly, of counsel for the defendant in error, and concluded by Mr. Abram L. Elkus, of counsel for the plaintiffs in error.

131. Robert D. Kinney vs. Plff in Error
James F. Mitchell,

This cause was argued, by Mr. M. E. Olmsted, of counsel for the defendant in error, and submitted on a printed argument by Mr. Robert D. Kinney, in propria persona.

132. Charles S. Elder vs. Plff in Error,
The People of the State of Colorado on the information of George Stidger, District Attorney, &c.

The argument of this cause was commenced by Mr. Charles K. Broon, of counsel for the plaintiff in error, and continued by Mr. Henry J. Hersey, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned, until tomorrow at twelve o'clock.

Friday, December 14th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. D. Crumpacker it is ordered that Edward E. Gates, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Allen Johnson it is ordered that Wilton H. Eaves, Esquire, of Greenville, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

136. The United States et al., Appellants, vs. William B. Kind. On motion of Mr. Solicitor General Hoyt, of counsel,

ordered by the Court that this cause be, and the same is hereby, passed temporarily.

132 Charles S. Elder, Plff in Error, vs. The People of the State of Colorado on the information of George Stidger, District Attorney, &c.

The argument of this cause was continued by Mr. Henry J. Hersey, of Counsel for the defendant in error, and concluded by Mr. Robert N. Elder, of counsel, for the plaintiff in error.

133 Conrad Steeker, Plff in Error, vs. The National Enameling & Stamping Co., et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. C. Kohn, of Counsel for the plaintiff in error and Mr. Robert A. Holland, Jr., and Mr. Charles P. Weil, of Counsel for the defendants in error.

134 Erie Railroad Company, Petitioner, vs. Erie & Western Transportation Co.

This cause was argued by Mr. C. D. Kremer, of Counsel for the petitioner, and Mr. Harvey D. Goulder and Mr. F. S. Mason, of Counsel, for the respondent.

Friday, December 14th, 1906, Continued.

137. Jacob Newman et al., Plffs in Error.
vs.
Nancy B. Gates.
Plaintiffs in error.

The argument of this cause was commenced by Mr. Charles Martindale, of Counsel for the

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened,

The Honorable William H. Moody appeared and produced the following Letters Patent and oaths of office which were read in open Court and ordered to be recorded upon the minutes, viz:

"Theodore Roosevelt,

President of the United States of America,

To all who shall see these Presents, Greeting:

Know Ye, That reposing special trust and confidence in the Wisdom, Uprightness, and Learning of William H. Moody, of Massachusetts, I have nominated, and by and with the advice and consent of the Senate, do appoint him Associate Justice of

ize and empower him to execute and fulfil the duties of that office according to the Constitution and laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges, and emoluments to the same of right appertaining, unto him, the said William H. Moody, during his good behavior.

In testimony whereof, I have caused these Letters to be made Patent and the seal of the Department of Justice to be hereunto affixed. Given under my hand at the City of Washington, the Twelfth day of December in the Year of our Lord one thousand nine hundred and six and of the Independence of the United States of America the one hundred and thirty-first.

(Seal)

Theodore Roosevelt

By the President:
Henry M. Hoyt,
Acting Attorney General.

I, William H. Moody, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge

duties of the Office on which I am about to enter. So help me God.

William H. Moody.

Subscribed and sworn to before
me this 17th day of December A.D. 1906.
Melville W. Fuller
Chief Justice of the United States.

I William H. Moody do solemnly swear that I will administer justice without respect to persons and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge, and perform all the duties incumbent on me as Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding, agreeably to the Constitution, and laws of the United States. So help me God.

William H. Moody.

Subscribed and sworn to before
me this 17th day of December, A.D. 1906.
(Seal) James H. McKenney
Clerk of the Supreme Court of the United States

The Solicitor General presented to the Court, Honorable Charles J. Bonaparte, Attorney General, and his Commission was ordered to be recorded as follows, viz:

Theodore Roosevelt,

President of the United States of America,
To all who shall see these presents Greeting:

in the Patriotism, Integrity and Abilities of Charles Joseph Bonaparte, of Maryland, I have nominated, and, by and with the advice and consent of the Senate, do appoint him Attorney General and do authorize and empower him to execute and fulfil the duties of that Office according to law and to have and to hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto him the said Charles Joseph Bonaparte during the pleasure of the President of the United States for the time being.

In testimony whereof, I have caused these Letters to be made Patent and the Seal of the United States to be hereunto affixed. Given under my hand, at the City of Washington, the twelfth day of December, in the year of our Lord one thousand nine hundred and six, and of the Independence of the United States of America the one hundred and thirty-first.

(Seal)

Theodore Roosevelt.

By the President:
Elihu Root,
Secretary of State.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Joseph H. Choate, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Millon A. Purdy it is ordered that Tallerson A. Reece, Esquire, of Cincinnati, State of Ohio, and Percy Allen, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank L. Campbell it is ordered that Jesse C. Adkins, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. E. Smith it is ordered that H. D. Lewis, Esquire, of Coudersport, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. A. VanOrdel it is ordered that C. W. Burdick, Esquire, of Cheyenne, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. N. Stephens it is ordered that J. A. Elkin Criswell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tracy L. Jeffords it is ordered that Fred O. Blue, Esquire, of Philippi, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Goodwin it is ordered that Frederick D. Harlow, Esquire, of Worcester, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly. 12.

On motion first made to the Court in this behalf by Mr. S. S. Gregory it is ordered that William P. Sidley Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

13. Illinois Central Railroad Company, Plff in Error, vs. J. U. McKendree, Deft in Error. In Error to the Circuit Court of Carlisle County, State of Kentucky.

This cause came on to be heard on the transcript of the

Kentucky, and was argued by Counsel. On Consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this Cause be, and the same is hereby, Reversed with Costs; and that this Cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings not inconsistent with the opinion of this Court.

Per M. Justice Day.

Mr. Justice McKenna Concurs in the Result.)

Illinois Central Railroad, Company, Plff in Error, vs. P. G. Edwards. In Error to the Circuit Court of Carlisle County, State of Kentucky.

This Cause came on to be heard on the transcript of the record from the Circuit Court of Carlisle County, State of Kentucky, and was argued by Counsel. On Consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this Cause be, and the same is hereby, Reversed, with Costs; and that this Cause be, and the same is hereby, Remanded to the said Circuit Court for further Proceedings not inconsistent with the Opinion of this Court.

Per M. Justice Day.

Mr. Justice McKenna Concurs in the Result.)

147. N. L. Rearick, Plff in Error vs. The Commonwealth of Pennsylvania. In Error to the Superior Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Superior Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes.

63. Frederic L. Grant Shoe Company, Appellant, vs. W. M. Laird Company. Appeal from the District Court of the United States for the Western District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

119.

97.

The Western Union Telegraph Company, Plff in Error, v. Charles E. Hughes — In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

Alabama & Vicksburg Railway Company and Robert K. Thompson & Thomas A. McWillie its sureties, Plffs in Error, v. Railroad Commission of the State of Mississippi. — In Error to the Supreme Court of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with Costs.

Per Mr. Justice Brewer.

Daniel Red Bird et al.,
125. vs. Appellants,
The United States.
The Cherokee Nation,
126. vs. Appellant,
The United States.
Francis B. Pite et al.,
127. vs. Appellants,
The United States.
The Persons claiming rights in the Cherokee Nation &c.,
128. vs. Appellants,
The United States.

On considera
the motion to a
the judgment
herein by this
It is now t
ed by the Cour
said motion b
same is hereby
per Mr. Chief Ju

The State of Montana ex rel.
Charles S. Haire
252. vs. Plff in Error,
James H. Rice, State Treasurer.

On considera
the motion to
this cause, It
here ordered b
Court that sa
tion be, and the same is hereby, granted and th
assigned for argument on Monday, January
per Mr. Chief Justice Fuller.

Katharine Todd Stearns et al,
386. vs. Appellants,
James E. Todd et al.

On considera
the motion to a
this cause, It
here ordered b
Court that said motion be, and the same is here
granted, the cause to be submitted on printed
pursuant to the 32d Rule.
per Mr. Chief Justice Fu

1127. The County Court of Braxton County et al. Aff'ts in Error. vs. The State of West Virginia ex rel. C. W. Dillon, State Tax Comm'r et al.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

(per Mr. Chief Justice Fuller.)

1124. Samuel B. Raymond, County Treasurer et al. App'ts, vs. Chicago Union Traction Co.
1125. " " " " " " " " Chicago Edison Co.
1126. " " " " " " " " Chicago City Ry Co.
1127. " " " " " " " " The South Chicago City Ry Co.
1128. " " " " " " " " The People's Gas Light & Coke Co.
1129. " " " " " " " " Chicago Telephone Co.
1130. " " " " " " " " Chicago Consol. Traction Co.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cases assigned for argument, as one case, on Monday, April 6, 1908.

(per Mr. Chief Justice Fuller.)

506. The United States, Petitioner, vs. R. Hoe & Company. On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for

thereupon had, as well in support of as aga
same, It is now here ordered by the Court th
petition be, and the same is hereby, denied
Per Mr. Chief Justice Fu

507. The United States, On petition for writ of certi
v. Petitioner, the United States Circuit
James C. Morgan. Appeals for the Eighth C

On Consideration of the petition for a writ of cert
herein to the United States Circuit Court of Ap
the Eighth Circuit, and of the argument of co
in support of the same, It is now here ordered
Court that said petition be, and the same is here
Per Mr. Chief Justice Fu

131. Robert D. Kinney, Plff in Error, In Error to the Circuit
v. of the United States for
James P. Mitchell. Eastern District of Penns

This cause came on to be heard on the transcript
record from the Circuit Court of the United Stat
the Eastern District of Pennsylvania, and was
by counsel. On Consideration whereof, It is now
ordered and adjudged by this Court that the ju
Error in this cause be, and the same is hereby, dis
for the want of jurisdiction.
Per Mr. Chief Justice Fu

Ex parte In the matter of Frank D. Fell, Petitioner. On consideration of the motion for leave to file a petition for a writ of prohibition or a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

911. Pearl A. Smith, Appellant, v. Samuel G. Iverson, as State Auditor and Land Commissioner of the State of Minnesota. Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

239. Hiram P. Chapman, Plff in Error, v. Florence Elliott Chapman. In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and on a motion to dismiss which was argued by

and adjudged by this Court that the writ of error in this case be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court will take a recess from Monday the 24th instant to Monday, January 7th, 1907.

1101. Mill A. Gould et al., Appts, vs. Leo V. Youngworth, U.S. Marshal &c.
1115. Warren Gillelen et al, Appts, vs. Leo V. Youngworth, U.S. Marshal &c.
113. Lee R. Myers, Appt, vs. N. J. Osborne, U.S. Marshal &c.

Mr. Solicitor General Hoyt submitted to the consideration of the Court a motion to advance these cases.

1187. Clara Chaison et al., Petitioners, vs. Lawrence Hyde et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George C. Gorr, in support of the same, and Mr. William Hepburn Russell and Mr. William Beverly Hinslow, in opposition thereto.

591. Charles Thorley, Petitioner, vs. The Pabst Brewing Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William F. Sheehan and Mr. Joseph Fitzsch, in support of the same, and Mr. [illegible]

opposition thereto.

519. Eva A. Ingersoll Admx &c., Petitioner, vs. Joseph A. Coram et al. The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Hannis Taylor, Mr. E. N. Harwood, and Mr. Hollis R. Bailey, and Mr. John A. Hazelton, in support of the same, and Mr. Louis D. Brandeis and Mr. William H. Dunbar, in opposition thereto. Leave was granted Counsel for petitioner to file a reply brief within four days.

511. Myron W. Adams, Petitioner, vs. The Berkshire Power Co. The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. Walter Artz, in support of the same, and Mr. Archer L. Shipman, and Mr. William Waldo Hyde, in opposition thereto.

509. George F. Wilson et al., Petitioners, vs. Benjamin Levi et al. The petition for a writ of Certiorari herein, was submitted to the consideration of the Court by Mr. Abram L. Elkus, in support of the same.

14, Original. State of Missouri, Complainant, vs. State of Kansas. On motion of Mr. Herbert S. Hadley, of Counsel for the Complainant, it is

leave be, and the same is hereby, granted to file a bill of complaint herein, and process is ordered to be issued.

5214 Petrona del Carmen Gonzalez Resto, Appellant, vs. (Petrona Resto y Negron et al.) Mr. Percy Allen, of Counsel for the appellees, having filed in open Court the following certificate, to wit:

"Supreme Court of Porto Rico,

I, Antonio P. Castro, Secretary of the Supreme Court of Porto Rico, do hereby Certify: that in a certain case pending in said Court wherein Petrona del Carmen Gonzalez Resto is complainant and appellee, and Petrona Resto y Negron, Manuel Mendez Rodriguez, Jacinto Gomez Sierra, Manuel Garcia Fernandez, Maria Rodriguez Lopez, per se and as representative of her minor children Jose Mendez Rodriguez and Jose Mendez Rodriguez, Gefesino Mendez Rodriguez, Juan y Maria Mendez Rodriguez, and Vicente Gonzalez Alonso, as legitimate mother of her deceased son Domingo Gonzalez y Gonzalez, are defendants and appellants, judgment was rendered by said Supreme Court on the 31st of March, 1905, in favor of said defendants and appellants and against the said complainant and appellee, revoking thereby the judgment rendered in said case by the District Court for the Judicial District of Humacao under date of April 18th, 1903, and that thereupon, to wit: on the 6th day of April 1905 said complainant and appellee prayed an appeal to the Supreme Court of the United States from the judgment

Supreme Court of Porto Rico above mentioned, which appeal was allowed on the 10th day of April 1905.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court, at San Juan, Porto Rico, this 3d day of December, 1906.

(Seal) (2 one dollar revenue stamps cancelled)

N. F. Castro,
Secretary of the Supreme Court of Porto Rico

Moved the Court to docket and dismiss this cause pursuant to the 6th rule: and it appearing to the Court that the appellant has failed to have his cause filed, and docketed in conformity with the rules of this Court It is now here ordered, adjudged, and decreed by this Court that this appeal from the Supreme Court of Porto Rico be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

137. Jacob Newman et al. vs. Harry B. Gates. In Error.

The argument of this cause was continued, by Mr. S. S. Gregory, of Counsel for the plaintiffs in error, and concluded by Mr. Edward E. Gates, of Counsel for the defendant in error.

It is ordered by the Court that four counsel be allowed to argue this cause

3, Original. The State of Kansas, Complainant, vs. The State of Colorado et al.

plainant, three counsel on behalf of the defendants The State of Colorado et al., and three counsel on behalf of the intervenor, The United States, and that three and one-half hours each be allowed to counsel for The State of Kansas, The State of Colorado, and The United States respectively, and one and one-half hours to counsel for the other defendants.

No. 6, Original. The State of Kansas, Complainant, vs. The State of Colorado et al. Defendants.

The argument of this cause was commenced by Mr. S. S. Ashbaugh, of counsel for the Com-

plainant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody, } Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. B. Northrop it is ordered that Edward C. Kramer, Esquire, of East St. Louis, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

State of Missouri, Complainant,
14, Original. vs.
State of Kansas

On motion of Mr. C. C. Coleman, of counsel, for the defendant, leave is hereby granted to file waiver of process and to enter the appearance of defendant in this cause.

Tuesday, December 18th, 1906, Continued.

276. The United States, Appellant, vs. John M. Hite. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Assistant Attorney General Van Orsdel and Mr. John G. Thompson, of counsel for the appellant, and Mr. Edward S. McLennon, of counsel for the appellees.

2, Original. The State of Kansas, Complainant, vs. The State of Colorado et al. The argument of this cause was continued by Mr. S. S. Ashbaugh and Mr. N. H. Loomis of counsel for the complainant, Mr. C. C. Dawson, of counsel for the State of Colorado, Mr. Platt Rogers, of counsel for the Arkansas Valley Sugar Beet & Irrigated Land Co., and Mr. D. C. Beaman, of counsel for the Colorado Fuel and Iron Co.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody, Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joel F. Vaile it is ordered that Charles W. Waterman, Esquire, of Denver, State of Colorado be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State of Kansas, Complainant,
vs.
The State of Colorado et al.
No. 3, Original.

The argument of this cause was continued by Mr. A. C. Bierman, of counsel for the Colorado Fuel and Iron Co., Mr. A. G. Campbell, Mr. Assistant Attorney General Campbell and Mr. Solicitor General Hoyt, of counsel for the United States, and Mr. N. C. Miller, of counsel for

Thursday, December 20th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

416. Shropshire, Woodliff & Co., vs. Bush et al., Trustees &c.

This cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. Charles F. Benjamin, of counsel for Shropshire, Woodliff & Co., and Mr. George D. Lancaster, and Mr. John P. Dillman, of counsel for Bush et al., Trustees &c.

3, Original. The State of Kansas, Complainant, vs. The State of Colorado et al.

On motion of Mr. Solicitor General Hoyt leave is hereby granted him to file a printed summary of his oral argument in this

3, Original. The State of Kansas, Complainant, vs. The State of Colorado et al. The argument of this cause was continued by Mr. N. C. Miller and Mr. Joel F. Vaile, of counsel for the State of Colorado, and Mr. C. C. Coleman, of counsel for the State of Kansas, and concluded by Mr. P. Dumont Smith, of counsel for the State of Kansas.

143. American Smelting & Refining Co., vs. Aff in Error, The People of the State of Colorado ex rel. Henry A. Lindsley, District Attorney &c. The argument of this cause was commenced by Mr. Thomas Thacher, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock M.

Monday, December 21st 1891

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller - Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William A. Moody,
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened;

On motion first made to the Court in this behalf by Mr. P. H. Richmond it is ordered that W. H. Bond, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Kilston it is ordered that Charles O. Loucks and Fred Holmes Atwood, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

402. The Montana Mining Co., Limited, Plff in Error, vs. The St. Louis Mining & Milling Co. of Montana, Defts in Error. On motion of Mr. J. A. Ralston, of counsel for the defendant in error, leave is hereby granted to file a reply brief herein within ten days.

234. Hiram P. Chapman, Plff in Error, vs. Florence Elliot Chapman. On motion of Mr. E. P. Colladay of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

113. American Smelting & Refining Co., Plff in Error, vs. The People of the State of Colorado ex rel. Henry H. Lindsley, District Attorney &c. The argument of this cause was continued by Mr. Thomas Thacher, of counsel for the plaintiff in error, and Mr. N. C. Miller, of counsel for the defendant in error, and concluded by Mr. Charles H. Haldeman, of counsel for the plaintiff in error.

986. City of Chicago, Appellant, vs. Darius O. Mills. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. Hamilton Lewis, Mr. Henry M. Ashton, and Mr. David K. Tone, of counsel for the

Henrick, and Mr. J. K. Boyleen, of counsel for the appellees.

260. Hugh Wallace et al. vs. Mrs. Elen Adams, for herself &c. } Pffs in Error

On motion of Mr. George A. Mansfield, it is ordered that Counsel for The Choctaw and Chickasaw Nations be allowed to file a Printed Brief and make oral argument herein.

260. Hugh Wallace et al. vs. Mrs. Elen Adams, for herself &c. } Pffs in Error,

The argument of this cause was commenced by Mr. A. C. Cruce, of counsel for the plaintiffs in error, continued by Mr. George A. Mansfield, of counsel for the Choctaw and Chickasaw Nations (by special leave), and concluded by Mr. J. H. Ralston, of counsel for the plaintiffs in error.

138. J. P. Smithers vs. P. Smith et al. } Pff in Error,

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. David P. Boman, of counsel for the plaintiff in error, and Mr. Theodore Mack, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. Ross Perry, Jr., it is ordered that Terrell van Vleck, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and, he was sworn accordingly.

12, Original. The United States of America, Complainant, vs. John F. Shipp et al.

The opinion of the Court on the preliminary questions of law herein was delivered by Mr. Justice Holmes (Mr. Justice Moody took no part) and the cause was ordered to proceed.

103. The Board of Education of the Kentucky Annual Conference of the Methodist Episcopal Church, Plff in Error, vs. The People of the State of Illinois. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

91. Mrs. Camille Cahen, Mrs. Julie Kahn, Eva Cahen et al., Plffs in Error, vs. John Brewster, Tax Collector for the Second District of the City of New Orleans, et al. In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is, hereby, affirmed with costs.

Per Mr. Justice McKenna.

105. Ernest Gatewood, Plff in Error, vs. The State of North Carolina. In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by Counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice White.)

Order.

Then having been an Associate Justice of this Court appointed since the commencement of this term, It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this Court among the Circuits, agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record, viz:

For the First Circuit, Oliver Wendell Holmes, Associate Justice,
For the Second Circuit, Rufus W. Peckham, Associate Justice,
For the Third Circuit, William H. Moody, Associate Justice,
For the Fourth Circuit, Melville W. Fuller, Chief Justice,
For the Fifth Circuit, Edward D. White, Associate Justice,
For the Sixth Circuit, John M. Harlan, Associate Justice,
For the Seventh Circuit, William R. Day, Associate Justice,
For the Eighth Circuit, David J. Brewer, Associate Justice,
For the Ninth Circuit, Joseph McKenna, Associate Justice.

401. Hill D. Gould et al., Appts, vs. Leo V. Youngworth, U.S. Marshal &c.
415. Warren Gillelen et al., Appts, vs. Leo V. Youngworth, U.S. Marshal &c.
432. Lee R. Myers, Appellant, vs. A. Z. Osborne, U.S. Marshal &c.

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument, as one case, on Monday, March 18th, 1907.

Per Mr. Chief Justice Fuller.

519. Eva A. Ingersoll, Administratrix of the estate of Robert G. Ingersoll, deceased, Petitioner, vs. Joseph A. Coram et al., On petition for writ of Certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

487. Clina Chaison, Lizzie Chaison, William G. Chaison et al., Petitioners, vs. Lawrence Hyde et al., On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari

the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

504. George F. Victor, Carl Victor, Thomas Achelis et al., Petitioners, v. Benjamin Levi and Samuel Klauber, doing business under the firm name of Levi & Klauber. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals, for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

511. Myron H. Andrus, Petitioner, v. The Berkshire Power Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said

521. Charles Thorley, Petitioner, vs. The Pabst Brewing Company. On petition for writ of certiorari to the United States Circuit Court of Appeals, for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals, for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

358. Homer E. Grafton, Plff in Error, vs. The United States. Mr. Solicitor General Hoyt submitted to the consideration of the Court a motion to advance this cause.

524. Richard Hynes, Appellant, vs. Leo V. Zonnyswerth, U.S. Marshal for the Southern District of California. Mr. Solicitor General Hoyt of counsel for the appellee, having filed in open Court the following certificate to wit:

"Circuit Court of the United States,
For the Southern District of California,
Southern Division.

I, Wm. M. Van Dyke, Clerk of the Circuit Court of the United States for the Southern District of California,

said Court, namely: In the matter of the petition of Richard Haynes for a Writ of Habeas Corpus, an order was made and entered by said Circuit Court on the 25th day of July, 1906 dismissing said writ and remanding the petitioner to the custody of the United States Marshal for the Southern District of California; I further certify that Leo V. Youngworth was then, and ever since has been the United States Marshal for the Southern District of California; I further certify that thereafter, on said 25th day of July A.D. 1906, said Richard Haynes prayed an appeal to the Supreme Court of the United States which was allowed.

In testimony whereof, I have unto subscribe my name and affix the seal of said Circuit Court, at Los Angeles, this 11th day of December A.D. 1906.

(Seal)

Wm. M. Van Dyke, Clerk

Moved the Court to docket and dismiss this cause pursuant to the ninth rule; and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged, and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of California be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

530. A. H. Hedderly, Appellant, vs. Leo V. Youngworth, U.S. Marshal for the Southern District of California. Appellee.

Mr. Solicitor General, Asst. of counsel for the appellee, having filed, in open Court the following certificate, to wit:

"Circuit Court of the United States, For the Southern District of California, Southern Division.

I, Wm. M. Van Dyke, Clerk of the Circuit Court of the United States for the Southern District of California, do hereby certify that in a certain matter pending in said Court, namely: In the matter of the petition of A. H. Hedderly for a Writ of Habeas Corpus, an order was made and entered by said Circuit Court on the 25th day of July, 1906, dismissing said writ and remanding the petitioner to the custody of the United States Marshal for the Southern District of California; I further certify that Leo V. Youngworth was then, and ever since has been the United States Marshal for the Southern District of California; I further certify that thereafter on said 25th day of July, A.D. 1906, said A. H. Hedderly prayed an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof, I have unto subscribe my name and affix the seal of said Circuit Court, at Los Angeles, this 11th day of December, A.D. 1906.

(Seal)

Wm. M. Van Dyke, Clerk."

pursuant to the ninth rule, and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged, and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of California be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

(Per Mr. Chief Justice White.)

528. Frank D. Zell, Petitioner, vs. B. N. Leigh and M. C. Sterling. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles L. Bailey, Mr. William L. Royall, Mr. Charles A. Burr, Mr. Reynolds D. Brown, and Mr. Malcolm Lloyd, Jr., in support of the same, and Mr. Floyd Hughes, Mr. Pazewell Taylor, and Mr. D. Lawrence Groner, in opposition thereto.

30. C. A. Nichols Lumber Co., Plff in Error, vs. Charles Fanson. On motion of Mr. A. B. Browne, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

346. William Motley, et al, Plffs in Error, vs. The motion to dismiss, in this cause was sub-

tion of the Court on the Record and Printed arguments by Mr. A. B. Browne and Mr. Alexander Britton, in support of the same, with leave to Counsel to file a brief in opposition hereafter.

Proclamation being made the Court is adjourned until Monday, January 7th, 1907, at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. C. Knox it is ordered that Charles S. Wesley, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Carter it is ordered that Thomas J. Walker, Esquire, of Butte, and Albert J. Gilbert, Esquire, of Helena, State of Montana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Douglas it is ordered that Duncan C. Ray, Esquire, of Columbia, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. S. Blackburn it is ordered that John M. Ray, Esquire, of Frankfort, and Charles H. Friend, Esquire, of Irvine, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor it is ordered that Edward C. Chapin, Esquire, of Lansing, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. T. Michener it is ordered that Harry L. Gordon, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Humphrey it is ordered that John P. Hartman and Isaiah E. Moses, Esquires, of Seattle, State of Washington, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. H. Bonynge it is ordered that Winfield Scott Dickson and Edmon Gordon Bennett, Esquires, of Denver, State of Colorado, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Spalding Flannery it is ordered that Hugh B. Rowland, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

1146. Shropshire, Woodliff & Company, Appellants, vs. Bush et al., Trustees &c., Appellees. } On a Certificate from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on a Certificate from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the question Certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so Certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Moody.

108. Ohio Valley National Bank, Plff in Error, vs. John Hulett, Receiver of the First National Bank of Hillsboro, Ohio. In Error to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and it is further ordered that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Southern District of Ohio.

Per Mr. Justice Day.

170. Charles Zartarian, Appellant, vs. George B. Billings, United States Commissioner of Immigration at the Port of Boston. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby,

312. Conrad Heeder, Plff in Error, v. The National Enameling & Stamping Company and George Wettengel. In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Day.

310. The People of the State of New York ex rel. Albert J. Hatch, Plff in Error, v. Edward Reardon, a Peace Officer of the County of New York. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the order of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Holmes.

259. The United States, Petitioner, vs. G. Field & Brother. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed, and that the judgment of the Circuit Court of the United States for the Southern District of New York be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court.

Per Mr. Justice McKenna.

(Mr. Justice Moody took no part in the decision of this case.)

116. J. B. Orcutt Company, Charles Dineen, Charles H. Dauchy Company, and Charles Dineen, Trustee, Petitioners, vs. Charles H. Green et al. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be and the same is hereby

and that the order of the District Court of the United States for the Northern District of New York be modified by refusing the filing of the proof of claim of the trustee himself, and, as so modified, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said District Court.

Per Mr. Justice Peckham.

143. American Smelting and Refining Company, Plff in Error, vs. The People of the State of Colorado on the relation of Henry A. Lindsley, District Attorney for the Second Judicial District of the State of Colorado. In Error to the Supreme Court of the State of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham.

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Harlan,
Mr. Justice Holmes, and
Mr. Justice Moody.

197. The Cleveland Electric Railway Co., Appellant, vs. The City of Cleveland and The Forest City Railway Co. Appeals from the Circuit Court of the United States for the Northern District of Ohio.

321. The City of Cleveland and The Forest City Railway Co., Appellants, vs. The Cleveland Electric Railway Co.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, on appeal and cross-appeal, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, each party to pay one-half of the costs in this Court.

Per Mr. Justice Peckham.

16. Louis Kann, Sigmund Kann and Meyer Cohen, Appellants, vs. Caroline King. Appeals from the Court of Appeals of the District of Columbia.

17. Henry Randall Webb, Executor of Marianne A. B. Kennedy, Appellant, vs. Caroline King.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, on separate appeals, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and

and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the decree of the Supreme Court of the District of Columbia and remand the cause to that Court with directions to dismiss the bill for want of equity.

Per Mr. Justice White.

Dissenting:
Mr. Chief Justice Fuller and
Mr. Justice Harlan.

137. Jacob Newman and Salmon O. Levinson, Surviving Partners of the Firm of Newman, Northup & Levinson, Plffs in Error, vs. Harry B. Stutz. In Error to the Supreme Court of the State of Indiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

132. Charles S. Elder, Plff in Error, vs. The People of the State of Colorado on the information of George Stidger, District Attorney of the Second Judicial District of the State of Colorado ex rel. William J. Pine, Def't. In Error to the Supreme Court of the State of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

72. Tomas Garrozi, Juana Maria Gonzalez, and Domingo Piazzi, Appellants, vs. Juana Dastas. Appeal from the District Court of the United States for the District of Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Porto Rico, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to enter a decree for the $2,750 and the alimony and expenses incurred in the divorce suit with the interest of the Court as herein indicated.

rejecting the claim for $2,000 and $1,500, the costs in this Court to be borne by the appellee and those of the Court below by the appellants.

Per Mr. Justice White.

443. Warren B. Wilson, Appellant, v. Leslie M. Shaw, Secretary of the Treasury. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Brewer.

446. Corwin D. Brehtel, Plff in Error, v. R. Franz Wilson, Sheriff of Stark County, Ohio. In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

1117. Corwin D. Bachtel, Plff in Error, vs. R. Frank Wilson, Sheriff of Stark County, Ohio. In Error to the Supreme Court of the State of Ohio

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brewer.

1118. Harvey A. Miller, Plff in Error, vs. R. Frank Wilson, Sheriff of Stark County, Ohio. In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brewer.

449 William L. Davis
vs. } In Error to the Supreme
R. Frank Wilson, Sheriff of } Court of the State of
Stark County, Ohio. } Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brewer.

450 Charles A. Van Horn
vs. } In Error to the Supreme
R. Frank Wilson, Sheriff of } Court of the State of
Stark County, Ohio. } Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brewer.

57. The Old Wayne Mutual Life Association of Indianapolis, Ind., Plff in Error, vs. Sarah McDonough and John Hernity, Administrator of the estate of Hannifred Hernity, deceased. In Error to the Supreme Court of the State of Indiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

(Per Mr. Justice Harlan.)

58. Franklin S. Jerome, Plff in Error, vs. Charles P. Cogswell, The State Savings Bank et al. In Error to the Supreme Court of Errors of the State of Connecticut.

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Errors in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Gila Bend Reservoir & Irrigation Co., Appellant,
226 of O.T. 1905. vs.
The Gila Water Company.

It is ordered by the Court that the memorandum denying the petition for rehearing herein be, and the same is hereby, withdrawn, and leave is granted to file said petition, which will be taken as submitted, with such additional briefs as counsel on both sides may be advised to present, within thirty days from this date.

(Per Mr. Chief Justice Fuller.)

Louisa Sauer et al.,
130. vs. Plffs in Error.
The City of New York

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument.

(Per Mr. Chief Justice Fuller.)

William Notley et al.,
346. vs. Plffs in Error.
Cecil Brown et al.,

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

(Per Mr. Chief Justice Fuller.)

Homer E. Grafton,
358. vs. Plff in Error.
The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assign-

528. Frank D. Fell,
Petitioner,
vs.
B. N. Leigh and M. C. Peebles.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

107. Thomas Milner Harrison,
vs.
J. A. Magoon et al.

Error,

172. Emma L. Kaipu, in behalf of Mikala Kaipu,
vs.
L. E. Pinkham, President &c.

Appellant,

195. Frederick J. Lowrey, et al., Trustees,
vs.
The Territory of Hawaii.

Appellants,

212. William W. Bierce, Limited,
vs.
Clinton J. Hutchins, Trustee.

Appellant,

216. C. G. Ballentyne et al.,
vs.
William O. Smith, Trustee, et al.

Appellants,

273. David Kawananakoa et al.,
vs.
Ellen Albertina Polyblank, Trustee, et al.

Appellants,

It is ordered by the Court that these cases be, and the same are hereby, assigned for argument seriatim on Monday, March 18th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

Nicolas Arces, Pltff in Error
vs.
The United States.

On consideration of the application of the Plaintiff in error for leave to enter his appearance in propria persona, It is now hereordered by the Court that said application be, and the same is hereby, [illegible]

Per Mr. Chief Justice Fuller.

1. Edward J. Pearey, Pltff in Error
vs.
Neverda N. Shanahan.

On motion of Mr. Assistant Attorney General Cooley, of Counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, March 4th next, after the cases heretofore assigned for that day.

157. Gilbert & Company, Appellant,
vs.
The United States

On motion of Mr. Assistant Attorney General Cooley, of Counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, passed temporarily.

387. Bank of Kentucky et al., Pltffs in Error,
vs.
The Commonwealth of Kentucky

Mr. A. N. Cooley, in behalf of Counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

353. Adrian C. Honoré, Executor &c., et al., Plffs in Error, vs. William C. Wilson, as Acting Comptroller of the State of New York.

On motion of Mr. Emmet R. Olcott, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, advanced to be submitted on printed arguments.

353. Adrian C. Honoré, Executor &c., et al., Plffs in Error, vs. William C. Wilson, Acting Comptroller &c.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Emmet R. Olcott, of counsel for the defendant in error, with leave to counsel for the plaintiff in error to file a printed argument within two weeks.

455. Antoine G. Starr, an infant &c., Plff in Error, vs. Samuel W. Campbell, &.

On motion of Mr. Charles F. Wilson, in behalf of counsel for The Red Cliff Lumber Company, leave is hereby granted said counsel to file a printed brief herein as amicus curiae.

475. Russell Sage, as Assignee in trust of The Hastings & Dakota Railway Co., Appellant, vs. The United States.

Mr. A. B. Browne, of counsel for the appellant, suggested the death of

Trustee &c., the appellant herein, and the appointment of Joseph J. Slocum and Edward C. Osborn as Trustees in the place of said Russell Sage, deceased, and moved the Court to make the said Joseph J. Slocum and Edward C. Osborn, Trustees, the parties appellants in this cause. Whereupon, It is now here ordered by the Court that the said Joseph J. Slocum and Edward C. Osborn, as Trustees of the Hastings & Dakota Railway Company, be, and they are hereby, made the parties appellants in this cause.

501. J. B. Thompson, Plff in Error, vs. Commonwealth of Kentucky by P. C. Albritton, Recvd. The motion to advance this cause was submitted to the consideration of the Court by Mr. J. H. Ray, in support of the same, and by Mr. J. B. Thompson in propria persona, in opposition thereto.

238. Citizens Savings & Trust Co., Appellant, vs. Illinois Central Railroad Co. et al. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. E. C. Eliot and Mr. William B. Sanders, of Counsel for the appellant, and Mr. J. M. Dickinson, of Counsel for the appellees.

139. Wilmington Star Mining Co., Plff in Error, vs. This cause was argued by Mr. William P.

253. Adrian C. Honoré, Executor &c., et al., Plffs in Error, vs. William C. Wilson, as Acting Comptroller of the State of New York. On motion of Mr. Emmet R. Olcott of counsel for the defendant in error It is ordered by the Court that this cause be, and the same is hereby, advanced to be submitted on printed arguments.

253. Adrian C. Honoré, Executor &c., et al., Plffs in Error, vs. William C. Wilson, Acting Comptroller &c. This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Emmet R. Olcott, of counsel for the defendant in error, with leave to counsel for the plaintiff in error to file a printed argument within two weeks.

455. Antoine G. Starr, an infant &c., vs. Pltff in Error, Samuel M. Campbell. On motion of Mr. Charles F. Wilson, in behalf of counsel for The Red Cliff Lumber Company, leave is hereby granted said counsel to file a printed brief herein as amicus curiae.

1175. Russell Sage, as Assignee in trust of The Hastings & Dakota Railway Co., vs. Appellant, The United States. Mr. A. B. Browne, of counsel for the appellant, suggested the death of

Trustee &c., the appellant herein, and the appointment of Joseph J. Slocum and Edward C. Osborn as Trustees in the place of said Russell Sage, deceased, and moved the Court to make the said Joseph J. Slocum and Edward C. Osborn Trustees, the parties appellants in this cause. Whereupon, It is now here ordered by the Court that the said Joseph J. Slocum and Edward C. Osborn, as Trustees of The Hastings & Dakota Railway Company, be, and they are hereby made the parties appellants to in this cause.

501. (J. B. Thompson,) vs. (Aff in Error, Commonwealth of Kentucky by P. C. Albritton, Revenue Agent) The motion to advance this cause was submitted to the consideration of the Court by Mr. J. H. Ray, in support of the same, and by Mr. J. B. Thompson in propria persona, in opposition thereto.

138. (Citizens Savings & Trust Co., vs. Appellant, Illinois Central Railroad Co. et al.) This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. C. C. Eliot and Mr. William B. Sanders, of counsel for the appellant, and Mr. J. M. Dickinson, of counsel for the appellees.

139. (Wilmington Star Mining Co., vs. Aff in Error,) This cause was argued by Mr. William F.

for the plaintiff in error, and submitted on a printed argument by Mr. Arthur J. Eddy, of Counsel for the defendant in error.

952 The State of Montana ex rel. Charles S. Haire, Plff in Error, vs. James H. Rice, State Treasurer.

The argument of this cause was commenced by Mr. M. S. Gunn, of Counsel for the plaintiff in error, and continued by Mr. Albert J. Galen, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Dana Malone it is ordered that Fred D. Field, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Culberson it is ordered that Venable B. Proctor, Esquire, of Victoria, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William B. King it is ordered that Edmond C. Wise, Esquire, of New York City, and Joseph V. Cunningham

to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp it is ordered that William N. Shea, Jr., Esquire, of Virginia, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

752. The State of Montana ex rel. Charles E. Haire, Plff in Error, vs. James N. Rice, State Treasurer.

The argument of this cause was continued by Mr. Albert J. Galen, of counsel for the defendant in error, and concluded by Mr. M. S. Gunn, of counsel for the plaintiff in error.

140. W. A. Walker, Executor &c., Appellant, vs. J. W. McLoud, Trustee &c.

This cause was argued by Mr. W. N. Redwine, of counsel for the appellant, and submitted on a printed argument by Mr. J. W. McLoud, of counsel for the appellees.

141. East Central Eureka Mining Co., et al., Plffs in Error, vs. Central Eureka Mining Co.

The argument of this cause was commenced by Mr. Jackson H. Ralston, of counsel for the plaintiffs in error, and continued by Mr. S. S. Burdett, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Kittredge, it is ordered that Aubrey Lawrence, Esquire, of Brookings, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp it is ordered that Moritz Heim, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday, January 9th, 1907, Continued:

111.	East Central Eureka Mining Co., et al, Plffs in Error, vs. Central Eureka Mining Co.	The argument of this Cause was Continued by Mr. S.S. Burdett, of counsel for the defendant in Error, and Concluded by Mr. Jackson H. Ralston, of Counsel for the plaintiffs in Error. Leave was granted Counsel for the defendant in Error to file an additional brief within two days.
144.	Berton O. Wetmore Admr &c, vs. James L. Karnick. Plff in Error,	The argument of this Cause was commenced by Mr. William L. Ford, of counsel for the plaintiff in Error, and Continued by Mr. W.H. Millan and Mr. J.J. Darlington, of counsel for the defendant in Error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes,
William R. Day,
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. J. Beveridge it is ordered that Charles W. Miller, Esquire, of Goshen, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Horace A. Dodge it is ordered that August Frederick Herbsleb, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Reid it is ordered that Menefee House, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. B. C. Brown it is ordered that Joseph Edwards Black, Esquire, of Richmond, Ray County, Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. H. Webb it is ordered that Benjamin B. Cunningham, Esquire, of Rochester, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp it is ordered that John Baker Middlecoff, Esquire, of Duluth, State of Minnesota, and Richard Sleight, Esquire, of Ashland, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that Du Bois G. Atkins, Esquire, of Kingston, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

72. Tomas Tarrozi et al., Appellants, vs. Juana Diaz. On motion of Mr. Fritz V. Brisen, of Counsel for the appellants, leave is hereby granted the Clerk to issue the mandate in this cause.

117. Interstate Consolidated Street Railway Co., Aff'g in Error, vs. The Commonwealth of Massachusetts. On motion of Mr. Dana Malone, of Counsel for the defendant in error, It is ordered that this cause be, and the same is hereby, passed subject to the provisions of section 9 of Rule 16.

154. Yee Gruen, Appellant, vs. The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

1144. Benton O. Wetmore, Admr &c., vs. Aff'g in Error, Counsel announced that they did not desire

gument in this cause.

1145. James B. Irving, Trustee &c., Plff in Error,
vs.
The Weston Lumber Company.

This cause was argued by Mr. P. A. Reece, of counsel for the plaintiff in error, and Mr. Edward C. Chabin, of counsel for the defendant in error.

1146. Joseph M. Cunningham, Trustee, et al., Plffs in Error,
vs.
Charles Springer et al.

This cause was argued by Mr. Neill B. Field, of counsel for the plaintiffs in error, and Mr. Charles A. Spiess, of counsel for the defendants in error.

1147. Orlando F. Bacon, Plff in Error,
vs.
Paul A. Walker et al.

81. Charles Bown et al., Plffs in Error,
vs.
Enos C. Walling.

These cases were argued by Mr. S. M. Stockslager, of counsel for the plaintiffs in error. No counsel appeared for the defendants in error.

1149. Jay Delaimater, Plff in Error,
vs.
The State of South Dakota.

The argument of this cause was commenced by Mr. Herbert Jackson, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Marlin E. Olmsted it is ordered that M. E. Driscoll, Leyton H. Lewis, and James E. Newell, Esquires, of Syracuse, State of New York, be admitted to practice as attorneys and counsellors of this Court and they severally were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. L. Bates it is ordered that John D. Rilling, Esquire, of Erie, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. Clinton Rhoads it is ordered that Thomas Raeburn White, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Wiener, Jr., it is ordered that Edward Wiener, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

114. Jay Delamater, Plff in Error, vs. The State of South Dakota. The argument of this cause was continued by Mr. Herbert Jackson of Counsel for the plaintiff in error, and Mr. Aubrey Lawrence and Mr. S. M. Howard, of Counsel for the defendant in error, and concluded by Mr. Herbert Jackson, of Counsel for the plaintiff in error. Leave was granted Counsel for the defendant in error to file an additional brief herein within three days.

150. Abel P. Borden et al., Plffs in Error, vs. The Tres Palacios Rice and Irrigation Company. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Ven'ble B. Proctor, of Counsel for the plaintiffs in error, and Mr. Henry C. Pe[illegible]

157. Northern Pacific Railway Co., et al., vs. Jacob Slaght, Plffs in Error.

158. Northern Pacific Railway Co., et al., vs. Margaret A. Slaght, Plffs in Error.

These cases were argued by Mr. C. H. Dunn, of counsel for the plaintiffs in error, and submitted on a printed argument by Mr. E. J. Ettinger, of counsel for the defendant in error in No. 157. No counsel appeared for the defendant in error in No. 158.

155. William J. Doyle et al., vs. London Guarantee and Accident Company, Limited.

This cause was argued by Mr. E. Clinton Rhoads, of counsel for Doyle et al., and Mr. Thomas Raeburn White, of counsel for London Guarantee and Accident Company, Limited.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 14th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes,
William R. Day,
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Milton D. Purdy it is ordered that Sylvester R. Rush, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James B. Botsford it is ordered that George B. Gillener and George P. Burleigh, Esquires, of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. J. Bissell it is ordered that Allen J. Hastings, Esquire of Olean, State of New York, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. Van Vechten Olcott it is ordered that Marshall McLean, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas A. Connolly it is ordered that George E. Hall, Esquire, of New Haven, State of Connecticut, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kittredge Haskins it is ordered that George B. Young, Esquire, of Newport, State of Vermont, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Hemphill it is ordered that William Henry Parker, Esquire, of Charleston, State of South Carolina, be admitted to practice as an attorney and Counsellor of this Court of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Moon it is ordered that Floyd Estill, Esquire, of Winchester, and C.T. Rankin, Esquire, of Jefferson City, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C.A. Culberson it is ordered that A.L. Jackson, Esquire, of Houston, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E.H. Roberts it is ordered that Norman G. Johnson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A.D. Browne it is ordered that Charles L. Bullymore, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E.S. McCalmont it is ordered that Edward T. Cowell, Esquire, of Columbus, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp it is ordered that Hector Baxter, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

134. Erie Railroad Company, Petitioner, vs. Erie & Western Transportation Company. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs, and that the decree of the District Court of the United States for the Northern District of Illinois be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the said District Court.

Per Mr. Justice Holmes.

402. The Montana Mining Company, Limited, Petitioner, vs. The St. Louis Mining & Milling Company of Montana. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(Per Mr. Justice Brewer.)

1002. The Montana Mining Company, Limited, (Aff'g in Error and Petitioner, v. The St. Louis Mining & Milling Company of Montana.) In Error to writ of Certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Montana with directions to grant a new trial, and to reinstate and continue in force until the final disposition of the case the order restraining the defendant in error from mining and removing any of the ore in dispute.

(Per Mr. Justice Brewer.)

Ex parte In the matter of
The Montana Mining Company, Limited,
13. Original. Petitioners

It is ordered by the Court that this Case, be, and the same is hereby, stricken from the docket

(Per Mr. Justice Brewer.)

The Northern Lumber Company,
171. vs. Appellant,
William O'Brien, Albert J. Lammers, George A. Lammers, and Mary E. Coffin.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with Costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States, for the District of Minnesota.

(Per Mr. Justice Harlan.)

150. Abel P. Borden and Mrs. Mamie P. Withers, independent Executor and Executrix testamentary trustees of the estate of A. N. Price, deceased, et al., Plffs in Error, vs. The Trespalacios Rice & Irrigation Company. In Error to the Supreme Court of the State of Texas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

185. Bank of Kentucky et al., Plffs in Error, vs. The Commonwealth of Kentucky. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 21st, 1907, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

501. J. B. Thompson
vs. Writ of Error.
Commonwealth of Kentucky
by P. C. Allbritton, Revenue Agent.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied, without prejudice.
per Mr. Chief Justice Fuller.

12, Original. The United States of America, Complainant,
vs.
John F. Shipp et al.

Mr. Attorney General Bonaparte, of counsel for the Complainant, submitted to the consideration of the Court a motion to arrest the defendants herein and to require them to enter into recognizances to abide the future orders of the Court.

12, Original. The United States of America, Complainant,
vs.
John F. Shipp et al.

Mr. Attorney General Bonaparte, of counsel for the Complainant, submitted to the consideration of the Court a motion, as to taking testimony herein, and leave was granted to Counsel for defendants to file a brief, in reply thereto.

160. The United States, Appellant,
vs.
Benjamin H. Howell, Son & Co.

Mr. Assistant to the Attorney General Purdy, in behalf of counsel for the appellee, submitted to

and motion to reverse the judgment in this cause, and to remand the cause for further proceedings.

192. The People of the State of Illinois ex rel. John McNichols, vs. Plff in Error, James Pease, Sheriff &c. vs.

On motion of Mr. M. D. Purdy, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 9 &c.

358. Homer E. Grafton, vs. Plff in Error, The United States.

On motion of Mr. Assistant to the Attorney General, Purdy leave is hereby granted to withdraw the appearance of the Attorney General for the plaintiff in error.

502 & 503. William McCoach, Collector &c., vs. Petitioner, The Philadelphia Trust, Safe Deposit & Insurance Co., et al, Executors &c.

504. William McCoach, Collector &c., vs. Petitioner, George H. Norris et al, Executors &c. vs. The United States,

505. vs. Petitioner. The Marion Trust Co., Trustee &c.

Mr. Assistant to the Attorney General Purdy, of Counsel for the petitioners, submitted to the consideration of the Court a motion to advance these cases.

533. Empire State Cattle Co., et al., vs. The Atchison, Topeka & Santa Fe Railway Co. Petitioners.

534. The Minnesota & Dakota Cattle Co., vs. The Atchison, Topeka & Santa Fe Railway Co. Petitioners.

The petitions for writs of certiorari in these cases were submitted to the consideration of the Court on printed arguments by Mr. James S. Botsford and Mr. R. E. Bull, in support of the same, and Mr. A. B. Browne, Mr. Robert Dunlap, and Mr. Gardiner Lathrop, in opposition thereto.

215. Chicago, Burlington & Quincy Railway Co., vs. Appellant, F. C. Babcock, Treasurer, et al.

341. Union Pacific Railroad Co., vs. Appellant, Robert O. Finch, Treasurer, et al.

Mr. E. H. Hinshaw, in behalf of counsel for the appellees, submitted to the consideration of the Court a motion to assign these cases for argument on the 21st instant, pursuant to a stipulation of counsel.

552. P. H. Adrian Tromp, vs. The William Cramp & Sons Ship and Engine Building Co. Petitioner.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Norman G. Johnson and Mr. Ernest Hedman, in support of the same, and Mr. Henry G. Ward,

Edward S. Thomas et al., Trustees &c.,
vs.
559. Anna D. Taggart et al.,
Petitioners

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Abram D. Elkus, in support of the same, and Mr. Thomas Thacher, Mr. Richard L. Sweezy, and Mr. George E. Hall, in opposition thereto.

Edward Fliedlinger,
vs.
560. The United States.
Petitioner,

The petition for a writ of certiorari herein was submitted to the consideration of the Court, by Mr. Edward T. Powell, Mr. Thomas E. Powell, and Mr. Charles W. Baker, in support of the same, and leave was granted counsel for the Respondent to file a brief in opposition thereto within five days.

Louisville & Nashville R.R. Co.,
vs.
198. Smith, Huggins & Co.,
Plff in Err.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. C. T. Rankin, in support of the same, and Mr. John N. Frantz and Mr. James B. Wright, in opposition thereto.

The News & Courier Co., et al.,
vs.
542. Frank E. Butler et ux.
Petitioners,

The petition for a writ of certiorari herein was submitted to the con-

on printed arguments by Mr. William Henry Fowler and Mr. Henry A. M. Smith, in support of the same, and Mr. A. H. Joline and Mr. A. P. Smythe, in opposition thereto.

557. Magnus J. Palson et al., Petitioners, vs. North German Lloyd, Claimant &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Edward E. Blodgett, in support of the same, with leave to counsel for the respondent to file a brief in opposition thereto hereafter.

549. Knudsen-Ferguson Fruit Co., Petitioner, vs. Chicago, St. Paul, Minneapolis & Omaha Railway Co.

550. Knudsen-Ferguson Fruit Co., Petitioner, vs. Michigan Central Railroad Co. The petitions for writs of certiorari in these cases were submitted to the consideration of the Court on printed arguments by Mr. Roger S. Powell, in support of the same, and Mr. C. A. Severance, and Mr. Frank B. Kellogg, in opposition thereto.

380. The Central of Georgia Railway Co., Aff'g in Error, vs. Wm. A. Wright, Comptroller General.

384. The Georgia Railroad and Banking Co., Aff'g in Error, vs. Wm. A. Wright, Comptroller General. Mr. John C. Hart, of counsel for the defendant in error, submitted a motion to the consideration of the Court a motion to

advancing these cases.

151. The American Railroad Co. of Porto Rico, Plff in Error, vs. Julio P. Castro; The American Railroad Co. of Porto Rico, Plff in Error, vs. Felicia Cardona de Castro et al. 1167. These cases were argued by Mr. Frederic D. McKenney, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. F. L. Cornwell, of counsel for the defendant in error in case No. 151.

156. Rochester Railway Co., Plff in Error, vs. City of Rochester. The argument of this cause was commenced by Mr. Charles J. Bissell, of counsel for the plaintiff in error, and continued by Mr. William H. Webb, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable: Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John C. Spooner it is ordered that James Wickham, Esquire, of Eau Claire, State of Wisconsin, and Hallen Damon Mansfield, Esquire, of San Francisco, State of California, be admitted to practice as attorneys, and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seeber Edwards it is ordered that Edward D. Bassett, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James J. Lynch it is ordered that Charles C. Trabue, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

215. Chicago, Burlington & Quincy Railway Company, Appellant, vs. F. O. Babcock, Treasurer, et al.

341. Union Pacific Railroad Company, Appellant, vs. Robert O. Fink, Treasurer, et al.

On consideration of the motion to assign these cases for argument, It is now here ordered by the Court that these cases be, and the same are hereby, assigned for argument on Monday the 21st instant, after the case heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

160. The United States, Appellant, vs. Benjamin N. Howell, Son & Co.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on a confession of error and consent of counsel for the appellees that the decree of the Circuit Court of the United States for the Southern District of New York herein be reversed. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the

remanded to the said Circuit Court to be proceeded in according to law.

Per Mr. Chief Justice Fuller.

171. Seaboard Air Line Railway, vs. Plff in Error, N. L. Seegers et al. It is ordered by the Court that this cause, be and the same is, hereby, continued until the next term, per stipulation.

156. Rochester Railway Co., vs. Plff in Error. City of Rochester. The argument of this cause was continued by Mr. Benjamin B. Cunningham, of counsel for the defendant in error, and concluded by Mr. Charles J. Bissell, of counsel for the plaintiff in error.

118. Merchants Heat & Light Co., vs. Plff in Error, James B. Clow & Sons. This cause was argued by Mr. H. A. A. Miller, of counsel for the plaintiff in error, and Mr. Newton Wyeth, of counsel for the defendant in error.

158. Henry F. Iglehart et al, vs. Appellants, J. Howard Iglehart, Executor &c. The argument of this cause was commenced by Mr. Noel W. Barksdale, of counsel for the appellants, and continued by Mr. Hugh B. Rowland, of counsel for the appellants. Proclamation being made the Court is adjourned until tomorrow

Wednesday, January 16th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edgar Bronson Tolman it is ordered that Robert Redfield, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter D. K. Berry it is ordered that Fred Joy, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William McCoach, Collector &c.,
502. vs. Petitioner,
The Philadelphia Trust, Safe Deposit & Insurance Co., et al, Executors &c.

On motion of Mr. Arthur G. Dickson, leave is hereby granted counsel for respondents to file a brief in opposition to the motion to advance these cases.

William McCoach, Collector &c.,
504. vs. Petitioner,
George H. Norris et al, Executors &c.

Henry F. Iglehart et al.,
158. vs. Appellants,
J. Howard Iglehart, Executor &c.

The argument of this cause was continued by Mr. Hugh B. Rowland and Mr. Walter V. R. Berry, of counsel for the appellants, and concluded by Mr. Andrew Wilson, of counsel for the appellants.

D. S. Osborne et al., Trustees,
159. vs. Plffs in Error,
R. A. Clark et al.,

The argument of this cause was commenced by Mr. Floyd Estill, of counsel for the plaintiffs in error, continued by Mr. C. C. Trabue, of counsel for the defendants in error, and concluded by Mr. James J. Lynch, of counsel for the plaintiffs in error.

Eau Claire National Bank,
163. vs. Plff in Error,
Ralph W. Jackman, Trustee &c.

The argument of this cause was commenced by Mr. James Hackham, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until

Thursday, January 17th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Sutherland it is ordered that Matthew Clark Thomas, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

166. City of Chicago, Appellant, vs. Chicago City Railway Co.

On motion of Mr. John P. Wilson, of counsel for the appellee, it is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, April 8th next, after the cases heretofore assigned for that day.

162. Eau Claire National Bank, Plff in Error, vs. Ralph H. Jackman, Trustee &c. The argument of this cause was continued by Mr. James Hickham, of Counsel for the plaintiff in error, and Mr. C. P. Bundy, of Counsel for the defendant in error, and concluded by Mr. James Hickham, of Counsel for the plaintiff in error.

164. John C. Hammond, Plff in Error, vs. William H. Whittredge, Trustee, et al. This cause was argued by Mr. Warren Ozro Kyle, of Counsel for the defendants in error, and submitted on printed arguments by Mr. Hollis R. Bailey, of Counsel for the plaintiff in error.

168. J. Charles McGuire et al., Plff in Error, vs. Louis Gerstley et al. The argument of these cases was commenced by Mr. Lorenzo A. Bailey of Counsel for the plaintiffs in error.

169. John W. Clark, Plff in Error, vs. Louis Gerstley et al.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 18th 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody. Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward A. Moseley it is ordered that Alexander J. Truitt, Esquire, of Punxsutawney, State of Pennsylvania, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marlin E. Olmsted it is ordered that C. K. McCauley, Esquire, of Ridgway, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. B. C. Brown it is ordered that Hilliard [illegible]

of South McAlester, Indian Territory, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James K. Jones it is ordered that William H. Arnold, Esquire, of Texarkana, State of Arkansas, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that Gilbert P. Pillow, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first Made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that Elias Lynn Wilcox, Esquire, of San Juan, Porto Rico, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Lacey it is ordered that Benjamin S. Salinger, Esquire, of Carroll, State of Iowa, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas A. Culberson it is ordered that George A. Pillerington

as an attorney and counsellor of this Court a
was sworn accordingly.

On motion first made to the Court in this be
Mr. E. Hilton Jackson it is ordered that H
Doolittle, Esquire, of Washington, District of
be admitted to practice as an attorney and
sellor of this Court and he was sworn accord

168. J. Charles McGuire et al., vs. Plffs in Error, Louis Gerstley et al.

169. John N. Clark, vs. Plff in Error, Louis Gerstley et al.

The argument
cases was com
by Mr. Lorenz
of counsel for
tiffs in error, an
E. A. Jones, of co
for the defendan
error, and concluded by Mr. Lorenzo A. Bail
counsel for the plaintiffs in error.

173. The United States Fidelity & Guaranty Co., vs. Plff in Error, The United States, suing for the benefit of James S. Kenyon, vs. for the defendant in error.

This cause wa
gued by Mr. S
Edwards, of C
for the plaintiff
and Mr. Edwa
Bassett, of Con

111. Catherine Schlemmer, vs. Plff in Error, The Buffalo, Rochester & Pittsburgh Railway Co.

The argument o
cause was comm
by Mr. L. M. Hale
special leave, fo

for the plaintiff in error, and continued by Mr. Martin E. Olmsted, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock M.

Monday, January 21st, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Henry M. Hoyt, Esquire, of San Francisco, State of California, and Harry J. Shoemaker, Esquire, of Doylestown, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that John W. Catheart, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. McNeill it is ordered that James H. McNeill, Esquire, of Washington, District of Columbia, and John W. Gray, Esquire, of Fort Worth, State of Texas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris Brown it is ordered that William T. Thompson, Esquire, of Lincoln, State of Nebraska be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert A. Howard it is ordered that Hugh A. Dinsmore, Esquire, of Fayetteville, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Dale it is ordered that Abraham A. Huston, Esquire, of Guthrie, Territory of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry M. Teller it is ordered that David Mitchell, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

East Central Eureka Mining Company, James Toman and Eliza A. Toman, Plffs in Error, v. Central Eureka Mining Company. In Error to the Supreme Court of the State of California.

141.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

A. B. Ballard and Josephine W. Ballard, Plffs in Error, v. Charles W. Hunter, A. Hackler, and the Board of Directors of the St. Francis Levee District. In Error to the Supreme Court of the State of Arkansas.

123.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

(Mr. Justice Brewer concurs in the judgment.)

Johnston Armstrong, Ancillary Receiver for The New South Building & Loan Association of New Orleans, La., Appellant, vs. James A. Ashley, Mary M. Ashley, et al. Appeal from the Court of Appeals of the District of Columbia.

192.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

George W. Crowe, Appellant, vs. M. M. Priday, Administrator of the estate of Norman H. Chapin, deceased. Appeal from the Supreme Court of the Territory of Arizona.

71.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

70. George H. Crowe, Appellant, vs. Henry Harmon, Administrator of the estate of Jerry Neville, deceased. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller.

3. The State of South Carolina, ex rel. O. W. Buchanan, Plff in Error, vs. D. A. Jennings and A. H. Jones, Treasurer and Comptroller General. In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

17, Original. The United States of America, Complainant, vs. John F. Shipp et al. On consideration of the motion to require the defendants herein to enter into recognizances for their appearance hereafter, It is now here ordered by the Court that the defendants in this cause enter into their personal recognizances in the penal sum of $1,000 each, conditioned to abide the further orders of the Court, before the Judge of the District Court of the United States for the Eastern District of Tennessee.

Per Mr. Chief Justice Fuller.

12, Original. The United States of America, Complainant, vs. John F. Shipp et al. On consideration of the motion as to the taking of testimony herein, It is now here ordered by the Court that a Commissioner will be appointed to take the testimony of witnesses at Chattanooga, in the Eastern District of Tennessee, and Counsel on both sides are given ten days in which to agree upon a fit person for such appointment and communicate the nomination to the Court.

Per Mr. Chief Justice Fuller.

198. Louisville & Nashville Railroad Co., Plff in Error, vs. Smith, Huggins & Co. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby

380. The Central of Georgia Railway Co., Aff'ts in Error, vs. Wm. A. Wright, Comptroller General &c.

381. The Georgia Railroad & Banking Co., Aff'ts in Error, vs. Wm. A. Wright, Comptroller General &c.

On consideration of the motion to modify the order advancing these cases, it is now here ordered by the Court that said motion be, and the same is hereby, denied, but the cases will be taken on printed briefs on or before April 15th next, if counsel shall be so advised.

Per Mr. Chief Justice Fuller.

507. William McCoach, Collector &c., Petitioner, vs. The Philadelphia Trust, Safe Deposit & Insurance Co., et al., Executors &c.

503. William McCoach, Collector &c., Petitioner, vs. The Philadelphia Trust, Safe Deposit & Insurance Co., et al., Executors &c.

504. William McCoach, Collector &c., Petitioner, vs. George H. Norris et al., Executors &c.

505. The United States, Petitioner, vs. The Marion Trust Co., Trustee &c.

On consideration of the motion to advance these cases, it is now here ordered by the Court that said motion be, and the same is hereby granted, and the cases assigned for argument on Monday, April 15th next.

Per Mr. Chief Justice Fuller.

533. Empire State Cattle Company, et al, Petitioners, vs. The Atchison, Topeka & Santa Fe Railway Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

534. The Minnesota & Dakota Cattle Company, Petitioner, vs. The Atchison, Topeka & Santa Fe, Railway Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Edward D. Thomas et al., Trustees &c., Petitioners,
vs.
559. Anna D. Taggart et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

The News & Courier Company and Evening Post Publishing Company, Petitioners,
vs.
542 Frank E. Butler and Annie Butler, his wife.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

549. Knudsen-Ferguson Fruit Company, Petitioner, vs. Chicago, St. Paul Minneapolis & Omaha Railway Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

550. Knudsen-Ferguson Fruit Company, Petitioner, vs. Michigan Central Railroad Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

552. F. N. Adrian Tromp, Petitioner, vs. The William Cramp & Sons Ship and Engine Building Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

557. Magnus J. Palson and Charles F. Flett, Petitioners, vs. North German Lloyd, Claimant &c. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

560. Edward Fleckinger, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for

to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

186. Edgar Jadwin, et al., Plffs in Error, vs. The State of Texas. On motion of Mr. Solicitor General Hoyt, of counsel for the plaintiffs in error, It is ordered by the Court that this cause be, and the same, is hereby, passed, subject to the provisions of Section 6 of Rule 16.

345. Thomas M. Fields, Plff in Error, vs. The United States. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Hoyt, in support of the same, and Mr. Henry E. Davis, Mr. Frank J. Hogan, and Mr. John C. Gittings, in opposition thereto.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank J. Hogan, Mr. Henry E. Davis, and Mr. John C. Gittings, in support of the same, and Mr. Solicitor General Hoyt, in opposition thereto.

Ex parte In the matter of William O'Gorman, Jr., Petitioner.

Mr. Henry M. Hoyt, in behalf of Counsel for the Petitioner, submitted to the Consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

1164. Henry Winters et al., Appellants, vs. The United States.

Mr. A. B. Browne, in behalf of Counsel for the appellants, submitted to the Consideration of the Court a motion to advance this cause.

551. Mary Shaman McCallum, Petitioner, vs. Phillips L. Goldsborough, Collector &c.

The petition for a writ of certiorari herein was submitted to the Consideration of the Court on printed arguments by Mr. J. Altheus Johnson and Mr. E. F. Wagenhorst, in support of the same, and Mr. Solicitor General Hoyt, in opposition thereto.

1165. Vuco Perovich, Plff in Error vs. The United States.

This cause was submitted to the Consideration of the Court on the record and printed argument by Mr. Assistant Attorney General Cooley, of Counsel for the defendant in error. No counsel appeared for the plaintiff in error.

Catherine Schlemmer,
41. v. Plff in Error,
The Buffalo, Rochester & Pittsburgh Railway Co.

The argument of this cause was continued, by Mr. Martin E. Arnold of Counsel for the defendant in error, and concluded by Mr. Frederic D. McKenney of counsel for the plaintiff in error.

Chicago, Burlington & Quincy Railway Company,
215. v. Appellant,
H. C. Babcock, Treasurer, et al.
Union Pacific Railroad Co.,
341. v. Appellant,
Robert Oliver, Treasurer, et al.

On motion of Mr. Maxwell Evarts, of Counsel, leave is hereby granted to three Counsel to argue these cases for the appellants.

The argument of these cases was commenced by Mr. Charles J. Greene, of Counsel for the appellant in No. 215, and continued by Mr. John N. Baldwin, of counsel for the appellant in No. 341, and Mr. William D. Thompson and Mr. Norris Brown, of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 22d, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. S. Burdett it is ordered that Augustus L. Heissert, Esquire, of Milwaukee, State of Wisconsin, and Henry M. Nevius, Esquire, of Red Bank, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. D. Healy it is ordered that Asa G. Briggs, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Barry Mohun it is ordered that George M. Judd, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

570. Harry L. Haynes, Petitioner, vs. J. B. Hatkins et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. George A. Pettingill, in support of the same, and leave was granted Counsel for the respondents to file a brief in opposition thereto within three weeks.

215. Chicago, Burlington & Quincy Railway Company, Appellant, vs. H. C. Babcock, Treasurer, et al.

341. Union Pacific Railroad Co., Appellant, vs. Robert C. Fink, Treasurer, et al.

No. 341.

The argument of these cases was continued by Mr. Norris Brown, of Counsel for the appellees, and concluded by Mr. Maxwell Evarts, of Counsel for the appellant in

170. Mason City & Fort Dodge Railroad Co., vs. C. D. Boynton.

The argument of this cause was commenced by Mr. P. D. Healy of Counsel for the Railroad Co., and continued by Mr. Benjamin F. Salinger, of Counsel for Boynton

Wednesday, January 22d, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. A. Van Orsdel it is ordered that Ernest F. Cochran, Esquire, of Anderson, S. C. of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that Alexander S. Stewart, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

237. Bainbridge H. Burdick, Appellant, vs. William Dillon et al. Appellees. stipulation of counsel. It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, &c.

327. Phoenix Water Company, Appellant, vs. The Common Council of the City of Phoenix. Appeal from the Supreme Court of the Territory of Arizona.

It appearing to the Court that a stipulation of counsel, for the respective parties to dismiss this appeal have been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

170. Mason City & Fort Dodge Railroad Co., vs. C. D. Boynton. The argument of this cause was continued by Mr. Benjamin D. Salinger, of counsel for Boynton, and concluded by Mr. T. D. Healy, of counsel for the Railroad Co.

174. Nicholas V. Haller et al., Plffs in Error, vs. The State of Nebraska. This cause was submitted to the consideration of the Court on the record and printed

the plaintiffs in error, and Mr. Norris Brown, of counsel for the defendant in error.

175. Computing Scale Co. of America, Appellant, vs. The Automatic Scale Co. This cause was argued by Mr. Thelville Church, of counsel for the appellant, and Mr. H. P. Doolittle, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody, } Associate Justices

John N. Wright, Esquire, Marshal.,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph A. Grimes it is ordered that George A. Shreve-thorn, Esquire, of Charleston, State of West Virginia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

416. Shropshire, Woodliff & Co., vs. Bush et al, Trustees &c.) On motion of Mr. C. H. Benjamin, of Counsel, leave is hereby granted the Clerk to issue the mandate in this cause.)

327. Phoenix Water Co., vs. Appellant, The Common Council of the City of Phoenix. (This cause) On motion of Mr. A. A. Hoehling Jr., in behalf of Counsel, Leave is hereby granted the Clerk to issue the mandate in

176. W. A. Arthur & Co., vs. Plff in Error, Texas & Pacific Railway Co. This cause was argued by Mr. W. A. Arnold, of Counsel for the plaintiff in error, and Mr. D. D. Dunn, of Counsel for the defendant in error.

177. James Coffey, vs. Plff in Error, The County of Harlan. This cause was argued by Mr. C. C. Flansburg, of Counsel for the plaintiff in error and submitted, on a printed argument by Mr. J. W. Dewese, of Counsel for the defendant in error.

178. John N. Dike, Mayor &c, et al., vs. Plffs in Error, C. N. Turner et al. The argument of this cause was commenced by Mr. A. H. Huston, of Counsel for the plaintiffs in error, and continued by Mr. Frank Dale, of Counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. D. H. Spence it is ordered that William M. Tomkins, Esquire, of Ashland, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger Foster it is ordered that John Francis Lawyer, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

12, Original. The United States of America, Complainant, vs. John P. Shipp et al. Mr. Solicitor General, Hoyt of Counsel for the Complainant, submitted to the consideration of the Court a suggestion as to a modification of the order for taking the testimony herein.

178. John W. Duke, Mayor &c, et al, Plffs in Error, vs. C. W. Turner et al. The argument of this cause was continued by Mr. Frank Dale, of Counsel for the defendants in error, and concluded by Mr. A. H. Huston, of Counsel for the plaintiffs in error.

180. The United States, Appellant, vs. Dunn C. Mitchell. This cause was argued by Mr. Assistant Attorney General VanOrsdel, of Counsel, for the appellant, and Mr. George A. King, of Counsel for the appellee.

181. William McKay et al, Plffs in Error, vs. Agnes Kellyton, by Louise Kellyton, her guardian ad litem. This cause was argued by Mr. Samuel Shellabarger, of Counsel for the plaintiffs in error, and Mr. William Frye, White, of Counsel for the defendant in error.

182. Sum Gay alias Sam Lee, Appellant, vs. The United States. This cause was submitted to the consideration of the Court on the record,

by Mr. Assistant Attorney General Cooley of counsel for the appellee. No brief was filed by counsel for the appellant.

136. The United States et al., Appellants, vs. William B. Hart. This cause was argued by Mr. Solicitor General Hoyt, of counsel for the appellants and Mr. Abram J. Rose, of counsel for the appellee.

184. Solon L. Frank et al., Plffs in Error, vs. Joseph Vollkommer Jr., Deputy, etc. et al., Plaintiffs in error. The argument of this cause was commenced by Mr. Roger Foster, of counsel for the

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 28th. 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. J. Jenkins it is ordered that A. G. Titus, Esquire, of Madison, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Hayden it is ordered that Francis Fisher Kane, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr.

of St. Louis State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Stone Abert it is ordered that William Byrd, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. O. Bacon it is ordered that John M. Slaton, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James B. Wright it is ordered that Hugh M. Tate, Esquire, of Morristown, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that John Hubert Mee, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Wilson it is ordered that George C. Sullivan,

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

252. The State of Montana ex rel. Charles S. Haire, Plff in Error, vs. James A. Rice, as State Treasurer. In Error to the Supreme Court of the State of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Moody.

118. Merchants Heat and Light Company, Plff in Error, vs. James B. Clow and Sons. In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Dissenting: Brewer, Mr. Justice Peckham

The Chief Justice announced that the Court would take a recess from Monday, February 4th to Monday, February 25th next.

Ex parte In the matter of William O'Gorman, Jr., Petitioner. } On consideration of the motion for leave to file a petition for a writ of mandamus herein,

15, Original.

It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of William O'Gorman, Jr., Petitioner. } On consideration of the petition of William O'Gorman, Jr., It is now here ordered

15, Original.

by the Court that Cause be shown by Honorable Henry Lacombe, United States Circuit Judge for the Second Circuit, sitting in the Southern District of New York, and Elmore Mines Consolidated, before this Court in the City of Washington, within ten days from this date, why the prayer of said petition should not be granted.

Per Mr. Chief Justice Fuller.

Thomas M. Fields, Plff in Error, vs. The United States. } It is ordered by the Court that the further consideration of the motion to dismiss and the petition

395.

for a writ of certiorari herein be, and the same hereby

1179. Henry Whitens et al., Appellants, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 21, 1907, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

551. Mary Sherman McCallum, Petitioner, vs. Philip L. Goldsborough, Collector of Internal Revenue. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

182. Sim Gay, alias Sam Lee, Appellant, vs. The United States. Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof

ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

580. The United States, Appellant, v. Conrad Heinzen et al. On motion of Mr. Solicitor General Hoyt, of counsel for the appellant, It is now here ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Monday, April 8th next, after the cases heretofore assigned for that day.

12, Original. The United States of America, Complainant, v. John F. Shipp et al. On motion of Mr. Solicitor General, Hoyt leave is hereby granted Counsel for the defendants to file briefs in opposition to the suggestions of the Attorney General as to taking the testimony in this cause.

552. The Philadelphia & Reading Railway Co., Petitioner, v. Julia Klutt, who sues for herself & her minor children. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed

Argument by Mr. John G. Lamb, in support of the

561. Horace P. Brown et al., (Petitioners,) vs. Robert Henry Lanyon et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Francis M. Philps and Mr. Douglas Dyrenforth, in support of the same.

562. Boston & Maine Railroad, (Petitioner,) vs. John N. Goley. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. George B. Young and Mr. Edgar J. Rich, in support of the same.

Ex parte In the matter of Harrison Boynton, (Petitioner.) Mr. A. B. Browne, in behalf of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein and a motion for leave to prosecute the same in forma pauperis.

176. William F. Kessler, vs. George S. Eldred. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. S. Taylor, of counsel for Kessler, and Mr. C. C. Linthicum, of counsel for Eldred.

186. Katherine Todd Stearns et al., Appellants, vs. James E. Todd et al.; This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Bruneau and Mr. Jr., and Mr. C. L. W. Barnes, of Counsel for the appellants, and Mr. Charles Curry, of Counsel for the appellees.

187. Solon L. Trant et al., Plffs in Error, vs. Joseph Vollkommer, Jr., Trustee, et al.; The argument of this cause was continued by Mr. Roger Foster, of Counsel for the plaintiffs in error, and Mr. Francis B. Mullin, of Counsel for the defendants in error, and concluded by Mr. Roger Foster, of Counsel for the plaintiffs in error.

185. Uriah S. Lee et al., Plffs in Error, vs. The State of New Jersey; It is ordered by the Court that this cause be and the same is hereby continued until the next term, per stipulation of counsel.

187. Adelaide V. Tilt et al., Executors &c., Plffs in Error, vs. Otto Kelsey, Comptroller &c.; This cause was argued by Mr. William L. Wilson, of Counsel for the plaintiffs in error, and submitted on a printed argument by Mr. George M. Judd, of Counsel for the defendant in error.

Monday, January 28th, 1907. Continued.

188. The United States, Appellant, vs. The Bethlehem Steel Company.

The argument of this cause was commenced by Mr. Assistant Attorney General Van Orsdel, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes,
William R. Day,
William H. Moody.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. J. Beveridge, it is ordered that Thomas A. Blackledge, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. D. Jenkins it is ordered that E. M. McVicker, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Grey it is ordered that C. A. Ballreich, Esquire, of Pueblo, State of Colorado, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Lancaster it is ordered that John J. Allen, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

1182. The United States, Appellant, vs. Edwin M. Keatley. On motion of Mr. Frank B. Crosthwaite, of Counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, advanced.

1187. The United States, Appellant, vs. Edwin M. Keatley. This cause was submitted to the Consideration of the Court on the record, and printed arguments by Mr. Assistant Attorney General Van Orsdel and Mr. Philip M. Ashford, of Counsel for the appellant, and Mr. Frank B. Crosthwaite, of Counsel for the appellee.

185. The United States, Appellant, vs. The Bethlehem Steel Co. The argument of this cause was continued by Mr. Assistant Attorney General

appellant. Mr. James A. Hayden, of Counsel for the appellee, and concluded by Mr. Attorney General Bonaparte, of Counsel for the appellant.

189. Western Turf Association, Plff in Error, vs. Hyman Greenberg. This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. William S. Goodfellow, of Counsel for the plaintiff in error, and Mr. William G. Burke, of Counsel for the defendant in error.

190. Thomas R. Martin, Plff in Error, vs. The District of Columbia, 191. Clarence A. Brandenburg, Plff in Error, vs. The District of Columbia, for the defendant in error. These cases were argued by Mr. E. C. Brandenburg and Mr. George E. Sullivan, of Counsel for the plaintiffs in error, and Mr. Francis A. Stephens, of Counsel for the defendant in error.

192. John J. Allen, Appellant, vs. The United States. The argument of this cause was commenced by Mr. C. C. Langston, of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Francis M. Hatch it is ordered that Charles F. Clemons, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert H. Bonynge it is ordered that A. M. Nogg, Esquire, of Pueblo, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Wharton Clark it is ordered that Alonzo B. McMillen, Esquire of Albuquerque, Territory of New Mexico, be

admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

197. John J. Allen, Appellant, vs. The United States. The argument of this cause was continued by Mr. C. C. Lancaster, of counsel for the appellant, and Mr. Assistant Attorney General Van Orsdel, of counsel for the appellee, and concluded by Mr. C. C. Lancaster, of counsel for the appellant.

194. The United States ex rel. Willis C. West, Plaintiff in Error, vs. Ethan A. Hitchcock, Secretary of the Interior. The argument of this cause was commenced by Mr. William H. Robbins, of counsel for the plaintiff in error, continued by Mr. Assistant Attorney General Campbell and Mr. Fred H. Barclay, of counsel for the defendant in error, and concluded by Mr. Samuel A. Putnam, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, January 31st, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.
John N. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. C. Bacon it is ordered that Robert C. Alston, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Prescott Gatley it is ordered that Harvey L. Brulotte and Alfred H. Levensaler, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The United States of America, Complainant, vs. John F. Shipp et al. — Mr. Solicitor General Hoyt, of counsel for the complainant, submitted to the consideration of the Court the nomination of James D. Maher, of the District of Columbia, as the Commissioner to take the testimony of the witnesses in this cause.

Louisville & Nashville Railroad Co., Plff in Error, vs. Smith, Huggins & Co. — This cause was argued by Mr. James B. Wright, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. C. D. Rankin, of counsel for the defendant in error.

Metropolitan Life Insurance Company of New York, Plff in Error, vs. The City of New Orleans et al. — On motion of Mr. F. C. Jackman, of counsel for the defendants in error, leave is hereby granted to three counsel to argue this cause orally for the defendants in error.

Metropolitan Life Insurance Company of New York, Plff in Error, vs. The City of New Orleans et al. — This cause was argued by Mr. Charles P. Cocke, of counsel for the plaintiff in error, and Mr. A. [illegible] and Mr. P. C. [illegible]

200. Sigmond Ornstine, Plff in Error, vs. N. Y. County. (No. 6.)

This cause was argued by Mr. E. M. McVicker, of Counsel for the plaintiff in error, and Mr. V. C. Titus, of Counsel for the defendant in error.

201. The Cincinnati, Hamilton & Dayton Railway Co., et al., Appellants, vs. The Interstate Commerce Commission. (No. 7.)

The argument of this cause was commenced by Mr. Edward Colston, of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. C. C. Linchester it is ordered that M. Shalen Allen, Esquire, of Brooklyn, State of New York, be admitted, to practice as an attorney and counsellor of this Court and he was sworn accordingly.

201. The Cincinnati, Hamilton & Dayton Railway Co. et al., Appellants, vs. The Interstate Commerce Commission.

The argument of this cause was continued by Mr. Edward Colston, of counsel, for the appellants, and Mr. P. J. Farrell and Mr. L. A. Shaver, of counsel for the appellee, and

Counsel for the appellants.

902. Vicente Serra et al., vs. Plffs in Error, Adriano Buentiga.) This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. A.B. Browne, Mr. Alex. Britton, and Mr. Maurice Kelly, of counsel for the plaintiffs in error. No counsel appeared for the defendant in error.

906. Empire State-Idaho Mining & Developing Co., et al, vs. Appellants, Kennedy J. Henley.) This cause was argued by Mr. George Turner, of counsel for the appellants, and Mr. Myron A. Folsom, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Cooley it is ordered that John P. Nields, Esquire, of Wilmington, State of Delaware, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. B. C. Brown it is ordered that Jephia D. Howe, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Carthage, State of Missouri, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

81.

786. City of Chicago, Appellant, vs. Davis C. Mills. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

Dissenting:
Mr. Chief Justice Fuller and
Mr. Justice Harlan.

140.

147. Orlando F. Bacon, Plff in Error, vs. Paul A. Walker, Charles A. Walker, Eugene Walker and Gilbert Walker. In Error to the Supreme Court of the State of Idaho.

Dissenting: Mr. Justice Brewer and Mr. Justice Peckham.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Charles Brown & Lavender, L. Ormsby, N. Affirmance, Enos C. Walling. On Error to the Supreme Court of the State of Alaska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alaska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr Justice McKenna.

Dissenting:
Mr Justice Brewer and
Mr Justice Peckham.

T. A. Walker Executor of the estate of N. N. Ansley deceased, N. Appellant, J. W. McLoud, Trustee, and Francis J. Brown, Receiver of The Choctaw Coal & Railway Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this

and that this cause be, and the same is hereby, re
ed to the United States Court for the Central Di
of the Indian Territory.

Per Mr. Justice Peckham

The United States of America, Complainant,
12, Original, vs.
John F. Shipp et al.)

This cause com
on to be heard
respect of the
pointment of
Special Commissioner to take testimony here
and the parties, duly appearing by their counsel
ing agreed upon a fit person for such appoi
ment and communicated their nomination
Court;

It is ordered that W. James D. Maher, a
of the District of Columbia, be and he is hereby a
pointed a Commissioner to take and return the
timony in this proceeding, with the powers of
Master in Chancery as provided in the Rules of
Court; but said Commissioner shall not mak
any findings of fact or state any conclusions of

It is further ordered that the taking of the tes
mony shall be commenced at the City of Chattan
in the Eastern District of Tennessee, as soon as pos
at such place as the Commissioner shall designa
reasonable notice thereof to be given counsel on bo
sides, and be proceeded in with all convenient
and the Commissioner is hereby authorized also
to take testimony elsewhere if that shall be agr
on by counsel or appear to be necessary, with lea

for such orders in that regard as they may be advised.

Said Commissioner shall promptly report to the Court the testimony taken by him, without findings of fact or conclusions of law, and shall receive such compensation as may hereafter be determined, and his actual expenses, an itemized statement of which shall accompany his report.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of Harrison Boynton, Petitioner. On consideration of the motion for leave to file a petition for writ of habeas corpus herein and for leave to proceed in forma pauperis.

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

553. The Philadelphia & Reading Railway Company, Petitioner, v. Julia Klutt, who sues for herself and her minor children. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

561. Horace F. Brown et al., Petitioners, vs. Robert Henry Sawyer et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

562. Boston & Maine Railroad, Petitioner, vs. John N. Gokey. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

587. Delmelle Howard, Admx &c., Plff in Error, vs. The Illinois Central Railroad Co. et al. On motion of Mr. Attorney General Bonaparte, leave is hereby granted, Counsel for The United States to file briefs and be heard in the argument of this cause as amicus curiae.

587. Damsella Howard, Admx &c., Plff in Error,
vs.
The Illinois Central Railroad Co. et al.

On motion of Mr. Attorney General Bonaparte, It is ordered by the Court that this cause be and the same is hereby advanced and assigned for argument on Monday, April 8th next, after the cases heretofore assigned for that day.

594. N. C. Brooks, Admx &c., Plff in Error,
vs.
Southern Pacific Company.

On motion of Mr. William R. Hearn, of counsel for the plaintiff in error, It is ordered by the Court that this cause be and the same is hereby advanced and assigned for argument on Monday, April 8th next after the cases heretofore assigned for that day.

402. The Montana Mining Co., Limited, Plff in Error,
vs.
The St. Louis Mining & Milling Co. of Montana.

On motion of Mr. Jackson H. Ralston, of Counsel for the defendant in error, It is ordered by the Court that the mandate herein be stayed for ten days.

52. George H. Crossman and Herman Sielcken, composing the firm of H. H. Crossman & Brother, Plff in Error,
vs.
George R. Bidwell.

In Error to the Circuit Court of the United States for the Southern District of New York.

by Mr. Solicitor General Hoyt, and an authority of Counsel for the plaintiffs in error to dismiss the writ of error in this cause having been filed, Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

395. Thomas M. Fields, Plff in Error, v. The United States. Mr. Solicitor General Hoyt, of Counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

566. Mathiesen Alkali Works, Petitioner, v. P. P. Mathiesen. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank N. Christian, in support of the same, and Mr. Daniel Trigg, Mr. Robert L. Harrison, and Mr. William Byrd, in opposition thereto.

582. The Continental Wall Paper Co., Petitioner, v. The Lewis Wright & Sons Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Louis

same, and Mr. Morison R. Waite in opposition thereto.

7, Original. Commonwealth of Virginia, Complainant, v. State of West Virginia.) On motion of Mr. H. McClintic, of counsel for the defendant, It is ordered by the Court this cause be, and the same is hereby, reassigned for argument on the demurrer filed herein on Monday, March 11th, next.

201. The Cincinnati, Hamilton & Dayton Railway Co., et al., Appellants, v. The Interstate Commerce Commission.) On motion of Mr. L. A. Shaver, of counsel for the appellee, leave is hereby granted him to file an additional brief in this cause.

82. Home Savings Bank, Plff in Error, v. The City of Des Moines et al.
83. Peoples Savings Bank, Plff in Error, v. The City of Des Moines et al.
92. Des Moines Savings Bank, Plff in Error, v. The City of Des Moines et al.

Mr. Frederic D. McKenney in behalf of counsel, submitted to the consideration of the Court a motion to fix a day for the reargument of these cases.

151. The American Railroad Co. of Porto Rico, Plff in Error, v. Julio P. Casiano. On motion of Mr. Frederic D. McKenney, of counsel for the plaintiff in error, leave is hereby granted

467. The American Railroad Co. of Porto Rico, Plff in Error, v.

Supplemental brief in these cases.

563. Charles H. Hunley et al., Petitioners, vs. Rebecca A. Johnson et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. L. P. Berry, in support of the same.

581. Herman Frasch, vs. Appl. of Offin Exmr. Frederick I. Allen, Commissioner of Patents. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles J. Hedrick, in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto within ten days.

578. Victor N. Wilder et al., vs. The United States. Petitioners, The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Maynard F. Stiles, in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

573. The Old Dominion Copper Mining & Smelting Company, Petitioner, vs. Frederick Lewisohn et al., Executors &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr.

and Mr. William A. Dunbar, in support of the same, and Mr. Eugene Treadwell, in opposition thereto.

Adrian C. Honoré, as Executor of the last will & testament of Potter Palmer, deceased, & Bertha Honoré Palmer, individually, & as Executrix of the last will & testament of Potter Palmer, deceased,

vs.

William C. Wilson, as acting Comptroller of the State of New York

In Error to the Surrogate's Court of the County and State of New York

353. Affts in Error,

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same, is hereby, dismissed.

Per Mr. Chief Justice Taney.

Proclamation being made the Court is adjourned until Monday, the 25th instant, at twelve o'clock.

Monday, February 25th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Morris M. Townley, Esquire, of Indianapolis, State of Indiana, John A. Kemp, Esquire, of Delhi, State of New York, Edward L. Medler, Esquire, of Albuquerque, Territory of New Mexico, and Frank R. Savidge, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. J. Jaquith it is ordered that Alfred H. Putnam, Esquire, of Salem, and Albert A. Ginsberg, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorneys and

were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James B. Perkins it is ordered that John A. Barhite, Esquire, of Rochester, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Litterman it is ordered that Cornell V. Abbot, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Haines it is ordered that Rolle E. Hornor, Esquire, of Parkersburg, and Jake Fisher, Esquire, of Sutton, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph R. Webster it is ordered that James R. N. Elder, Esquire, of Hastings, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that Arthur,

mitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Allen Smith it is ordered that Alex. J. Groesbeck and John Donald Mackay, Esquires, of Detroit, State of Michigan, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. A. Sears it is ordered that L. A. Stebbins, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. Dohm it is ordered that George W. Watt, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Duane E. Fox it is ordered that Almon H. Bulkley, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that James Hope, Caldwell Esquire of New York City be admitted to

as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank B. Crosthwaite it is ordered that John J. Shea, Esquire, of Bartlesville, Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abram I. Elkus it is ordered that Adolph Ruger, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. A. Miller it is ordered that Clarie C. Edwards, Esquire, of Waukegan, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chapin Brown it is ordered that Oliver P. Morton, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

138. J. P. Smith, Plff in Error, vs. P. Smith, S. A. Greer, R. C. Reagan et al. In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United State for the Northern District of Texas, and was argued by Counsel. On Consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to take such further proceedings therein as the law requires and in conformity with the opinion of this Court.

Per Mr. Justice Moody.

Dissenting:
Mr. Justice Brewer.

146. Joseph M. Cunningham, Trustee, Etta May Jones and Andrien A. Jones, Plffs in Error, vs. Charles S. Springer and John B. Dawson. In Error to the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said

this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Moody.

177. James Coffey, Plff in Error, vs. The County of Nuckolls. In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Moody.

175. Computing Scale Company of America, Appellant, vs. The Automatic Scale Company. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

158. William J. Doyle and James G. Doak, trading as Doyle & Doak, vs. London Guarantee and Accident Company, Limited. On a certificate from the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Third Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Day.

(Mr. Justice Peckham took no part in the decision of this case.)

157.

178. John N. Duke, Mayor, and William P. Walker et al., Commissioners of the City of Guthrie, (Defts. in Error, vs. C. W. Turner and James A. Kirkwood. On Error to the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

170.

D. S. Osborne, J. K. P. Carroll, A. J. Barnes, and L. L. Baker, suing as Trustees of Carrick Academy of the County of Franklin,
vs. Plffs in Error,
R. A. Clark and Winchester Normal College.

On Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Holmes

Mason City and Fort Dodge Railroad Company,
vs.
C. D. Boynton.

On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first question certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Holmes

192. John J. Allen, Appellant, vs. The United States. Appeal from the Court of Claims.

341.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Holmes.

215. Chicago, Burlington & Quincy Railway Company, Appellant, vs. H. C. Babcock, as Treasurer of Adams County, Nebraska, et al. Appeal from the Circuit Court of the United States for the District of Nebraska.

163.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Peckham and
Mr. Justice McKenna.

Union Pacific Railroad Company, Appellant, vs. Robert O. Fink, Treasurer of Douglas County, Nebraska, et al. } Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Peckham and
Mr. Justice McKenna.

Eau Claire National Bank, Plff in Error, vs. Joseph W. Jackman, as Trustee of estate of John N. Young, a bankrupt. } In Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

161. John C. Hammond, Def in Error,
v.
William Jr. Whitredge, Trustee under the will of Solon O. Richardson, deceased, et al.

In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Judicial Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

198. Louisville & Nashville Railroad Company, Def in Error,
v.
Smith, Huggins & Company.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice McKenna.

187. The United States, Appellant, vs. Edwin M. Keasby, } Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice McKenna.

188. Henry F. Iglehart and Mary L. Polk, vs. Appellants, J. Howard Iglehart, Executor of the last will and testament of Annie C. L. Andrews, deceased, } Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.
(Announced by Mr. Chief Justice Fuller.)

168. J. Charles McGuire and William J. McGuire, Plffs in Error, vs. Louis Gerstley and William Gerstley, surviving Partners of the firm trading as Roseham, Gerstley & Co. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.
(Announced by Mr. Chief Justice Fuller.)

169. John H. Clark, Plff in Error, vs. Louis Gerstley and William Gerstley, surviving Partners of the firm trading as Roseham, Gerstley & Co. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.
(Announced by Mr. Chief Justice Fuller.)

176. H. A. Arthur and John C. Stone, Partners, as H. A. Arthur & Co., vs. Plffs in Error, Texas & Pacific Railway Company } In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals and the judgment of the Circuit Court of the United States for the Western District of Arkansas in this cause be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to grant a new trial.

Per Mr. Justice Peckham
(announced by Mr. Chief Justice Fuller.)

202. Vicente Serra and Maria Ablens, vs. Plffs in Error, Adriano Mortiga. } In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

William McKay (substituted for Mary Kahlyton) et al., Plffs in Error,
181. vs.
Lepias Kahlyton, by Louise Kahlyton, her guardian ad litem.

In Error to the Supreme Court of the State of Oregon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice White.

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Brewer, and
Mr. Justice Peckham.

467.

The American Railroad Company of Porto Rico, Plff in Error,
151. vs.
Julio P. Castro.

In Error to the District Court of the United States for the District of Porto Rico.

78.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Porto Rico, and was argued by counsel.
On consideration whereof, It

adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

The American Railroad Company of Porto Rico, Plff in Error, v. Felicia Cadena de Castro et al. In Error to the District Court of the United States for the District of Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

The Texas & Pacific Railway Company, Plff in Error, v. The Abilene Cotton Oil Company. In Error to the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this

that this cause be, and the same is hereby, remanded to the said Court of Civil Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice White.

79. The Texas & Pacific Railway Company vs. Plff in Error, The Rise Oil Mill. In Error to the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas. 160.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Civil Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice White.

2. Gulf, Colorado & Santa Fe Railway Company vs. Plff in Error, The State of Texas. In Error to the Supreme Court of the State of Texas. 431.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by Counsel. On consideration whereof,

It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Justice Brewer.

Hugh Wallace, Will Wallace, Geo. Goodwin et al, Plffs in Error, vs. Mrs. Ella Adams, for herself and as natural guardian and next friend of Jenny McSwain and Roma McSwain, her minor children.

In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals, for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed, with costs; and that this cause be, and the same is hereby, remanded to the United States Court for the Southern District of the Indian Territory.

Per Mr. Justice Brewer.

The Union Bridge Company, Plff in Error, vs. The United States.

In Error to the District Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the

Western District of Pennsylvania, and was argued by Counsel. On Consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

(per Mr. Justice Harlan.)

Dissenting;
Mr. Justice Brewer and
Mr. Justice Peckham.
(Mr. Justice Moody did not participate in the consideration or decision of this case.)

173. The United States Fidelity & Guaranty Company, Plff in Error, vs. The United States of America using for the benefit of James S. Kenyon, doing business as Burrows & Kenyon. In Error to the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by Counsel. On Consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

(per Mr. Justice Harlan.)

Dissenting;
Mr. Justice Brewer.)

187. Western Turf Association, Appellant, vs. Affirm Error, Hyman Greenberg. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice [illegible]

276. The United States, Appellant, vs. Appeal from the Court of Claims. John M. Hite.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller

11 Original. The State of Kansas, Complainant, vs. The United States of America et al. This cause came on to be heard on a motion to dismiss the bill of complaint and was argued by counsel. On consideration

by this Court that said bill of complaint be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Chief Justice Fuller.)

82. Home Savings Bank, Aff'in Error, vs. The City of Des Moines et al.
83. Peoples Savings Bank, Aff'in Error, vs. The City of Des Moines et al.
92. Des Moines Savings Bank, Aff'in Error, vs. The City of Des Moines et al.

On consideration of the motion to fix a day for the re-argument of these cases, It is now here ordered by the Court that these cases be, and they are hereby, assigned, for reargument, as one case, on Monday, March 4th, next, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

345. Thomas M. Fields, Aff'in Error, vs. The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, March 11th next, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

563. Charles H. Hunter et al, Petitioners, vs. Rebecca A. Johnson et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be

and the same is hereby granted.

Per Mr. Chief Justice Fuller.

572. The Old Dominion Copper Mining and Smelting Company, Petitioner, vs. Frederick Lewisohn, Walter Lewisohn, Albert Lewisohn and Philip S. Henry, Executors of Leonard Lewisohn, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

582. The Continental Wall Paper Company, Petitioner, vs. The Lewis Voight & Sons Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

570. Henry L. Haynes, Petitioner, vs. J. B. Hutchins et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

566. Matthiesen & Hale Works, Petitioners, vs. J. T. Matthiesen. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

578. Victor A. Wilder et al., Petitioners, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of

as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

251. Herman Frasch, Appt, vs. Appt in Error, Frederick I. Allen, Commissioner of Patents. It is ordered by the Court that the further consideration of the petition for a writ of certiorari herein be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

136. The United States ex rel. C. D. MacDougall, as United States Marshal for the Northern District of New York, Appellants, vs. William B. Kirk. Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the

200. Sigmond Ornstine, Plff in Error, v. N. J. Carey. In Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

386. Katharine Todd Stearns et al, Appellants, v. James E. Todd, James A. Hamrick et al. Appeal from the Circuit Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

352. The Interstate Commerce Commission, Appellant, v. The Chicago Great Western Railway Co. et al. On motion of Mr. Solicitor General Hoyt, It is ordered by the Court that

same is hereby reassigned for argument on Monday April 15th next, after the cases heretofore assigned for that day.

556. John Stephens et al., Petitioners, v. A. E. Brast et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court upon printed briefs by Mr. V. B. Archer, in support of the same, and Mr. R. E. Horner, in opposition thereto.

671. William A. Wilder, Petitioner, v. Alvey J. Blackford. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed briefs by Mr. Charles E. Littlefield and Mr. Charles N. Duell, in support of the same, and Mr. Philip Mauro, in opposition thereto.

616. William F. D. Taylor, Petitioner, v. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court upon printed briefs by Mr. Lucius H. Beers and Mr. William G. Choate, in support of the same.

Ex parte. In the matter of John Armstrong Chanler, Petitioner. The motion for leave to file a petition for a writ of prohibition herein was submit-

200. Sigmond Ornetine, Plff in Error, v. A. J. Carey. } In Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

386. Katharine Todd Stearns et al, Appellants, v. James E. Todd, James A. Hamner et al. } Appeal from the Circuit Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

352. The Interstate Commerce Commission, Appellant, v. The Chicago Great Western Railway Co. } On motion of Mr. Solicitor General Hoyt, It is ordered by the Court that

same is hereby reassigned for argument on Monday, April 15th next, after the cases heretofore assigned for that day.

596. John Stephens et al., Petitioners, v. A. E. Brast et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court upon printed briefs by Mr. V. B. Archer, in support of the same, and Mr. R. E. Horner, in opposition thereto.

621. William A. Wilder, Petitioner, v. Alvert J. Blackford. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed briefs by Mr. Charles E. Littlefield and Mr. Charles N. Duell, in support of the same, and Mr. Philip Mauro, in opposition thereto.

616. William F. D. Taylor, Petitioner, v. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court upon printed briefs by Mr. Lucius N. Beers and Mr. William G. Choate, in support of the same.

Ex parte. In the matter of John Armstrong Chanler, Petitioner. The motion for leave to file a petition for a writ of prohibition herein was submit-

Platt, in support of the same, and Mr. Joseph N. Choate, Jr., in opposition thereto.

517. In re James B. Wood et al., Petitioners. On motion of Mr. R. H. Bonynge leave is hereby granted him to withdraw his appearance as Counsel for the petitioners herein.

525. Alfred Kessler et al., Petitioners, vs. The Ensley Land Co., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William A. Gunter, in support of the same, and Mr. John B. Knox, in opposition thereto.

568. Continental Paper Bag Co., Petitioner, vs. Eastern Paper Bag Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Albert H. Walker, in support of the same, and Mr. Samuel R. Betts, and Mr. Francis D. Chambers, in opposition thereto.

130. Louisa Sauer et al., Plff's in Error, vs. The City of New York. Mr. Abram J. Elkus, of Counsel for the Plaintiffs in Error, submitted to the consideration of the Court a motion to fix a day for the reargument of this Cause.

672. North American Cold Storage Co., Appellant, v. The City of Chicago et al.) On motion of Mr. L. A. Stebbins, of counsel for the appellant it is ordered by the Court that this cause be and the same is hereby advanced, pursuant to the 32d Rule.

371. Robert S. Bright, Trustee, Petitioner, v. The Fifth Congregational Church of Washington D.C. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed briefs by Mr. Heber J. May and Mr. S. Herbert Gisny, in support of the same, and Mr. W.C. Sullivan, in opposition thereto.

331 & 332. Adams Express Company, Plff in Err. v. The Commonwealth of Kentucky. American Express Co. of New York, Plff in Error, v. The Commonwealth of Kentucky. Mr. F. Straus, of counsel for the American Express Co. submitted to the consideration of the Court a motion to advance these cases.

254. North Shore Boom & Diving Co., Plff in Error, v. Nicomen Boom Company. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and a printed argument by

granted counsel for the plaintiff in error to file a printed brief in opposition thereto on or before March 11th next.)

1461. John Romig et al. vs. Myrtle Gillett. Appellants, The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Henry F. Woodard and Mr. A. A. Birney, in support of the same, and Mr. A. A. Hoehling, Jr., in opposition thereto.

7, Original. Commonwealth of Virginia, Complainant, vs. State of West Virginia. On motion of Mr. John G. Carlisle, of counsel for the defendant, leave is hereby granted to file an amended demurrer herein.

602. P. M. Angle, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George E. Hamilton, in support of the same, and Mr. Solicitor General Hoyt, in opposition thereto.

110. Henry M. Earle, Admr. &c., Appellant, vs. Thomas E. Haggaman, Admr. The death of Thomas E. Haggaman Administrator d. b. n. c. t. a. of James H.

an order of publication having been granted & issued, now, on motion of Mr. P. Percy Myers, it is ordered, that P. Percy Myers and John J. Hamilton, successors of said Thomas E. Waggaman, as Administrators d.b.n.c.t.a. of said James N. Creston, deceased, be, and they are hereby, made the parties appellees in this cause.)

793. George Desliens et al., Petitioners, vs. La Compagnie Generale Transatlantique, Owners &c. The petition for a cross-writ of certiorari, herein was submitted to the consideration of the Court on printed arguments by Mr. E. K. Jones, in support of the same, and Mr. R. D. Benedict and Mr. Joseph H. Choate, in opposition thereto.

600. St. Louis & San Francisco Railroad Company, Petitioner, vs. John R. McGowan. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Theodore Mack and Mr. Thomas D. West, in support of the same.)

955. Elizabeth M. Chambers, Plff in Error, vs. The Baltimore & Ohio Railroad Company. This cause coming on to be heard by the Court it is ordered that this cause be and the same is, hereby, continued until the next term

Monday, February 25th, 1907, Continued.

The State of Georgia, Complainant,
D, Original. vs.
The Tennessee Copper Co., et al.

Argument of this cause was commenced by Mr. Ligon Johnson, of Counsel for the Complainant, and continued by Mr. James G. Parks, of Counsel for the defendants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Edward D. White,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John G. Wright Esquire, Marshal,
James A. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Kittredge it is ordered that William B. Divinnell, Esquire of Wilmington, State of Delaware, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. A. VanOrsdel it is ordered that Elgan A. Burk, Esquire, of Lander, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Tawney it is ordered that Benjamin

Robert Crain, Esquire, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that George A. Mosher, Esquire, of Troy, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

478. Chod Thomas, Plff in Error, v. The State of Kansas. The motion to dismiss or affirm in this cause, was submitted to the consideration of the Court on the record and printed arguments by Mr. C. C. Coleman, in support of the same, and Mr. Alfred M. Jackson, in opposition thereto.

482. The United States, Appellant, v. Edwin M. Keatley. On motion of Mr. F. B. Brookhouse, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

192. John J. Allen, Appellant, v. The United States. On motion of Mr. C. C. Lancaster, of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

5, Original. The State of Georgia, Complainant, vs. The Tennessee Copper Co. et al. The argument of this cause was continued by Mr. James G. Parks and Mr. Howard Cornick, of counsel for the defendants, and concluded by Mr. John C. Hart, of counsel for the complainant.

204. Robert J. Tracy, Plff in Error, vs. Albert A. Ginzberg, individually and as Trustee &c. This cause was argued by Mr. H. J. Jerguith, of counsel for the plaintiff in error, and Mr. A. H. Putnam, of counsel for the defendant in error.

207. The Iowa Railroad Land Co., Plff in Error, vs. Claude F. Bloomer. The argument of this cause was commenced by Mr. Charles A. Clark, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned, until tomorrow at twelve o'clock.

Wednesday, February 27th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Kittredge it is ordered that Charles L. Griffin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. E. Kremer it is ordered that Hermon A. Kelley, Esquire, of Cleveland, State of Ohio, and Herbert K. Cakes, Esquire, of Detroit, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Terre Haute, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert S. Hume it is ordered that Leon L. L. French, Esquire, of Searchlight, State of Nevada, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Small it is ordered that William Berry Craig, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

628. Ed Smith, Plff in Error, vs. The State of Tennessee. Mr. Charles D. Cates, Jr., of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"Supreme Court of the State of Tennessee.

I, S. E. Cleage, Clerk of the Supreme Court of the State of Tennessee, do hereby certify that in a certain cause pending in said Court wherein Ed Smith was plaintiff in error and the State of Tennessee was defendant in error, a final judgment was rendered by the said Court on the 1st day of December, 1906, in favor of the said defendant in error and against said plaintiff in error, and that

sued out a writ of error to said Supreme Court for the purpose of removing, and directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court at Knoxville, in the State of Tennessee, on this the 25th day of January, 1907.

(Seal)

S. E. Cleage
Clerk of the Supreme Court of the State of Tennessee.

moved the Court to docket and dismiss this cause, pursuant to the 9th rule: and it appearing to the Court that the plaintiff in error have failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Tennessee be, and the same is hereby, docketed and dismissed, with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

207. The Iowa Railroad Land Co., Plff in Error, vs. Claude F. Blumer.

The argument of this cause was concluded by Mr. Charles A. Clark, of counsel for the plaintiff in error, and the cause was submitted on a printed argument by Mr. Constant R. Marks,

207. Albert K. Hiscock, Trustee &c., vs. Petitioner, Jacob M. Mertens. This cause was argued by Mr. Will B. Crowley of counsel for the petitioner, and Mr. Dorr Raymond Cobb, of counsel for the respondent.

210. Isaac W. Fowler, Receiver &c., vs. Appellant, John C. Osgood. 211. Isaac W. Fowler, Receiver &c., vs. Appellant, John C. Osgood. These cases were argued by Mr. F. C. Holm and Mr. N. P. Guernsey, of counsel for the appellant, and Mr. Cass E. Herrington, of counsel for the appellee.

213. Mary Amis Quinlan, Executrix &c., vs. Green County, Kentucky. The argument of this cause was commenced by Mr. George Du Relle of counsel for Quinlan, Executrix &c., and continued by Mr. Ernest Macpherson, of counsel for Green County.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, February 28th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
David J. Brewer,
Edward D. White,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George W. Norris it is ordered that J. Raymond McCarl, Esquire, of McCook, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Cotton it is ordered that John B. Redman, Esquire, of Ellsworth, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Britton it is ordered that John R. Jones, Esquire, of Scranton, and George W. Woodruff, Esquire,

to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marlin E. Olmsted it is ordered that William Russell Deemer, Esquire, of Williamsport, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Alden Smith it is ordered that Sherman T. Handy, Esquire, of Sault Ste. Marie, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Spooner it is ordered that Solon L. Perrin, Esquire, of Superior, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Mary Amis Quinlan, Executrix &c., vs. Green County, Kentucky. No. 19. The argument of this cause was continued by Mr. Ernest Macpherson, of counsel for Green County, and concluded by Mr. E. F. Trabue, of counsel for Quinlan, Executrix &c.

Thursday, February 28th, 1907, Continued:

217. Thomas Tindle et al. vs. Plffs in Error, Clarence D. Burdett.

Error. No Counsel appeared in Error.

This cause was argued by Mr. Frank Gibbons, of Counsel for the plaintiffs in error for the defendant

218. Iroquois Transportation Co., vs. Plff in Error, De Laney Forge and Iron Co.,

219. Iroquois Transportation Co., vs. Plff in Error, George W. Edwards et al.

for the defendants in error.

These cases were argued by Mr. C. E. Kremer, of Counsel for the plaintiff in error, and Mr. Herbert K. Duke, of Counsel

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
David J. Brewer,
Edward D. White,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. M. A. Smith it is ordered that Frank H. Hereford, Esquire, of Tucson, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Culberson it is ordered that Beauregard Bryan, Esquire, of El Paso, State of Texas, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Moon it is ordered that Eugene E. Sims, Esquire, of Athens State of Tennessee, be

of this Court and he was sworn accordingly.

220. Davidson Steamship Co., Plff in Error, vs. The United States. The argument of this cause was commenced by Mr. C. E. Kremer, of counsel for the plaintiff in error, continued by Mr. Assistant to the Attorney General Purdy, of counsel for the defendant in error, and concluded by Mr. Herman A. Kelley, of counsel for the plaintiff in error.

221. O. V. Lawson, Plff in Error, vs. The State of Washington. This cause was argued by Mr. Frederic D. McKenney, of counsel for the defendant in error, and leave was granted counsel for the plaintiff in error to file a printed brief hereafter.

222. William Moore et al., Appellants, vs. R. J. McGuire et al. The argument of this cause was commenced by Mr. C. M. Rose, of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Robert M. Childs, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. Hilton Jackson it is ordered that Alexander G. Bentley, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A.B. Browne it is ordered that R.M. Campbell, Esquire, of Oklahoma City, Territory of Oklahoma, and Hillonghby S. Chesley, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L.B. Melville it is ordered that Horace Phelps, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M.A. Low it is ordered that C.A. Magaw, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Simmons it is ordered that Elbert B. Hand, Esquire, of Racine, State of Wisconsin, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

14. Catherine Schlemmer, Plff in Error, vs. The Buffalo, Rochester & Pittsburgh Railway Company. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Brewer,
Mr. Justice Peckham,
Mr. Justice McKenna,
Mr. Justice Day.

194. The United States ex relations Willis C. West, Plff in Error, vs. Ethan A. Hitchcock, Secretary of the Interior. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District

ation whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

139. Illinois Star Mining Company, Plff in Error, vs. Minnie Fulton. In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On Consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings consistent with the opinion of this Court.

Per Mr. Justice White.

135. Citizens' Savings and Trust Company, Appellant, vs. Illinois Central Railroad Company et al. Appeal from the Circuit Court of the United States for the Eastern District of Illinois.

Record from the Circuit Court of the United States for the Eastern District of Illinois, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court that the Plaintiff may, if so advised, with the Preparation of its case under the act of 1875.

Per Mr. Justice Harlan.

174. Nicholas V. Halter and Harry V. Hayward, Plffs in Error, vs. The State of Nebraska. } On Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Peckham.

369. James T. Tinsley, Appellant, vs. Morgan Treat, United States Marshal in and for the Eastern District of Virginia, et al. Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the appellant from custody under the order and warrant of removal without prejudice to a renewal of the application to remove.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Harlan.
(Mr. Justice Moody took no part in the disposition of this case.)

370. William D. C. Kessler, Appellant, vs. Morgan Treat, United States Marshal in and for the Eastern District of Virginia et al. Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by Counsel. On Consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to discharge the appellant from custody under the Order and warrant of removal without prejudice to a renewal of the application to remove.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice Harlan.

(Mr. Justice Moody took no part in the disposition of this case.)

371. Samuel P. Morgan, Appellant, vs. Appeal from the Circuit Court of the United States for the Eastern District of Virginia.
Morgan Pratt, United States Marshal in and for the Eastern District of Virginia, et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by Counsel. On Consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the appellant from

without prejudice to a renewal of the application to remove.

(Per Mr. Chief Justice Fuller.)

Dissenting: Mr. Justice Harlan.

(Mr. Justice Moody took no part in the disposition of this case.)

Austin B. Carpenter, Appellant, vs. Morgan Neat, United States Marshal, in and for the Eastern District of Virginia, et al.

Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

No. 372.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the appellant from custody under the warrant of removal without prejudice to a renewal of the application to remove.

(Per Mr. Chief Justice Fuller.)

Dissenting: Mr. Justice Harlan.

(Mr. Justice Moody took no part in the disposition of this case.)

373. Fortesque Whittle, Appellant, vs. Morgan Treat, United States Marshal, in and for the Eastern District of Virginia, et al. Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the appellant from custody under the order and warrant of removal without prejudice to a renewal of the application to remove.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice Harlan.

(Mr. Justice Moody took no part in the disposition of this case.)

374. Frank E. Wilcox, Appellant, vs. Morgan Treat, United States Marshal in and for the Eastern District of Virginia, et al. Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the appellant from custody under the order and warrant of removal without prejudice to a renewal of the application to remove.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice Harlan.

(Mr. Justice Moody took no part in the disposition of this case.)

No. 37. George Braden, Appellant, v. Morgan Neat, United States Marshal, in and for the Eastern District of Virginia, et al.

Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the appellant from custody under the order and warrant of removal without prejudice

Dissenting: Mr. Justice Harlan. Mr. Justice Moody took no part in the consideration of this case.

376. Frank S. Royster, Appellant, vs. Morgan Treat, United States Marshal, in and for the Eastern District of Virginia, et al. Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed, with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the appellant from custody under the order and warrant of removal without prejudice to a renewal of the application to remove.

Per Mr. Chief Justice Fuller, Dissenting: Mr. Justice Harlan.
(Mr. Justice Moody took no part in the disposition of this case.)

377. J. Rice Smith, Appellant, vs. Morgan Treat, United States Marshal in and for the Eastern District of Virginia, et al. Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the

Eastern District of Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the appellant from custody under the order and warrant of removal without prejudice to a renewal of the application to remove.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice Harlan.

(Mr. Justice Moody took no part in the disposition of this case.)

378. Charles F. Burroughs, Appellant, vs. Morgan Treat, United States Marshal in and for the Eastern District of Virginia, et al. Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the appellant from custody under the order and warrant of

to a renewal of the application to remove.)
(Per Mr. Chief Justice Fuller,
Dissenting: Mr. Justice Harlan.)
(Mr. Justice Moody took no part in the disposition of this case.)

374. Charles A. McDowell, Appellant, v. Morgan Peart, United States Marshal in and for the Eastern District of Virginia, et al. Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the appellant from custody under the order and warrant of removal, without prejudice to a renewal of the application to remove.
(Per Mr. Chief Justice Fuller,
Dissenting: Mr. Justice Harlan.)
(Mr. Justice Moody took no part in the disposition of this case.)

Ex parte In the matter of John Armstrong Chanler, Petitioner. On consideration of the motion for leave to file a petition for a writ of

now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

130. Louisa Sauer et al., Plffs in Error, vs. The City of New York. On consideration of the motion to fix a day for the reargument of this cause, It is now here ordered by the Court that this cause be, and the same is hereby, assigned for Monday, March 18th instant, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

331 & 339. Adams Express Company, Plff in Error, vs. The Commonwealth of Kentucky, American Express Company of New York, Plff in Error, vs. The Commonwealth of Kentucky. On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be and the same is hereby granted, and the cases assigned for argument, as one case, on Monday, April 15th next, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

993. George Dislions et al., Petitioners, vs. La Compagnie Generale Transatlantique, Owner &c. It is ordered by the Court that the further consideration of the petition for a cross-writ of Certiorari herein be and the same is hereby postponed until the hearing of the cause.

576. William F. D. Taylor, Petitioner, vs. The United States. On Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

574. Robert S. Bright, Trustee &c., Petitioner, vs. The Fifth Congregational Church of Washington, D. C. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

575. Alfred Kessler et al., Petitioners, vs. The Easley Land Company et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari,

Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

596. John Stephens and N. L. Smith, Petitioners, v. A. E. Buest et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

600. St. Louis & San Francisco Railroad Company, Petitioner, v. John R. McSwain. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

621. William N. Wilder, Petitioner, vs. Atwell J. Blackford. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

210. Isaac N. Fowler, Receiver of The Iowa-Illinois Coal Co., Appellant, vs. John C. Osgood. Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Monday, March 11th, 1907. Continued.

911. Isaac N. Fowler, Receiver of The Whitebreast Fuel Co., Appellant, vs. John C. Osgood. Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

461. John Romig and Daniel W. Harding, Appellants, vs. Myrtle Gillett. Appeal from the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and on a motion to dismiss which was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

1175. Thos Thomas, Plff in Error, vs. The State of Kansas. On Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

588. Illinois Central Railroad Co, et al, Appellants, vs. Interstate Commerce Commission. Mr. Solicitor General Hoyt submitted to the Consideration of the Court a motion to advance this cause.

601. Southern Railway Co., et al., Appellants, vs. A. A. Tift et al. Mr. Solicitor General Hoyt submitted to the Consideration of the Court a motion to advance this cause.

632. Luigi Gandolfi et al., Petitioners, vs. Alfredo C. Sicgent, surviving partner &c. The petition for a writ of Certiorari herein was submitted to the consideration of the Court

by Mr. John Brooks Leavitt and Mr. Edmund Wetmore, in support of the same, and Mr. E. B. Whitney, in opposition thereto.

6th. Frederick W. Ward, Petitioner, vs. John B. Hunt, Trustee, et al. The petition for a writ of certiorari, herein was submitted to the consideration of the Court by Mr. V. B. Archer, in support of the same.

311. Clarence P. Hunt, Appellant, vs. The New York Cotton Exchange. On motion of Mr. Martin A. Foss, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, advanced pursuant to the 31st Rule.

311. Clarence P. Hunt, Appellant, vs. The New York Cotton Exchange. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thomas B. Turley and Mr. William A. Carroll, of counsel for the appellant, and Mr. Henry S. Robbins, Mr. Henry W. Taft and Mr. Henry Craft, of counsel for the appellee.

1. Edward J. Pearce, Plff in Error, vs. Nevada N. Stranahan. This cause was submitted to the consideration of the

printed arguments by Mr. James C. Carey, of counsel for the plaintiff in error, and Mr. Attorney General Bonaparte, Mr. Solicitor General Hoyt and Mr. Otis J. Carlton, of counsel for the defendant in error.

222. William Moore et al., Appellants, vs. R. J. McGuire et al. The argument of this cause was concluded by Mr. D. C. Myers, of counsel for the appellants, and the cause was submitted on printed arguments by Mr. J. M. Moore, of counsel for the appellees.

481. Addison Johnson, Agent &c., Appellant, vs. Charles C. Browne. The argument of this cause was commenced by Mr. H. Wickham Smith, of counsel for the appellant, and continued by Mr. Terence J. McManus, of counsel for the appellee.

(Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, March 5th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. W. Wilson it is ordered that Joseph Weissenbach, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

185. Addison Johnson, Agent &c., Appellant, v. Charles C. Browne. The argument of this cause was continued by Mr. Terence J. McManus, of counsel for the appellee, and concluded by Mr. W. Wickham Smith, of counsel for the appellant.

87. Home Savings Bank, Plff in Error, vs. The City of Des Moines et al.
83. People's Savings Bank, Plff in Error, vs. The City of Des Moines et al.
92. Des Moines Savings Bank, Plff in Error, vs. The City of Des Moines et al.

The argument of these cases was commenced by Mr. N. T. Guernsey of counsel for the plaintiffs in error in Nos. 83 and 92, continued by Mr. William J. Harrison, of counsel for the plaintiff in error in No. 87, and Mr. William H. Bremner, of counsel for the defendants in error, and concluded by Mr. George P. Henry, of counsel for the plaintiff in error in No. 92.

93. Thomas M. Patterson, Plff in Error, vs. The People of the State of Colorado ex rel. The Attorney General of the State of Colorado.

The argument of this cause was commenced by Mr. Thomas M. Patterson in propria persona.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, March 6th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. W. Brown it is ordered that Elmer E. Anderson, Esquire, of Rome, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter A. Johnson it is ordered that John J. McCusker, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. H. Dudley it is ordered that George A. Cutcell, Es-

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Hewlett it is ordered that Louis L. Gregory, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

235. John Edward McCarty, Appellant, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments, by Mr. H. V. Morehouse, of Counsel for the appellant, and Mr. Assistant Attorney General Van Orsdel, of Counsel for the appellee.

326. The Arkansas Southern Railroad Co., et al. Plffs in Error, vs. The German National Bank. The motion to dismiss in this cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. John Fletcher, in support of the same, and Mr. Edward B. Prince, in opposition thereto.

345. Thomas M. Patterson, Plff in Error, vs. The People of the State of Colorado ex rel. The Attorney General of the The argument of this cause was continued by Mr. Thomas M. Patterson, in per-

Mr. D. B. Melville and Mr. Horace Phelps, of counsel for the defendant in error, and concluded by Mr. Thomas M. Patterson, in propria persona, and leave was granted the plaintiff in error to file an additional brief within ten days.

914. Procopia Garza de Villereal et al., Plffs in Error, vs. The State of Texas. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. J. Dickinson, of counsel for the plaintiffs in error, and Mr. R. V. Davidson, of counsel for the defendant in error.

915. Augusta A. Peterson et al., Plffs in Error, vs. The Chicago, Rock Island & Pacific Railway Co. The argument of this cause was commenced by Mr. M. A. Low, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Duane E. Fox it is ordered that Harry T. Newcomb, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Culberson it is ordered that H. J. McKie, Esquire, of Corsicana, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Lupine, of Jackson, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.)

925. Augusta A. Peterson et al., Plffs in Error, vs. Chicago, Rock Island & Pacific Railway Co.

The argument of this cause was concluded by Mr. M. A. Low, of counsel for the defendant in error, and the cause was submitted on a limited argument, by Mr. D. T. Boman, of counsel for the plaintiffs in error.

926. Henry H. Urquhart, Sheriff &c., Appellant, vs. Thomas Brown.

This cause was argued by Mr. E. C. Macdonald, of counsel for the appellant.

No counsel appeared for the appellee.

927. Behn, Meyer & Co., Ltd., Plff in Error, vs. Campbell & Co. Taiyo &c.

This cause was argued, by Mr. Henry E. Davis, of counsel for the plaintiff in error, and Mr. A. B. Browne, of counsel for the defendants in error.

928. Security Warehousing Co., et al., Appellants, vs. Elbert B. Hand et al., Trustees &c.

The argument of this cause was commenced by Mr. John B. Simmons of counsel for the appellees.

Proclamation being made the Court is adjourned until to-

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles W. Russell it is ordered that James S. Easby-Smith Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. E. Brown it is ordered that Hale Holden, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

936. Edward A. Love, Plff in Error, vs. Annie Malone et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thomas C. Bach, of counsel for the plaintiff in error, and Mr. S. M. Stockslager and Mr. George C. Read, of counsel for the defendants in error.

929. Security Warehousing Co. et al., Appellants, vs. Elbert B. Hand et al., Trustees &c. The argument of this cause was concluded by Mr. John B. Simmons, of counsel for the appellees, and the cause was submitted on printed argument by Mr. Henry S. Robbins, of counsel for the appellants, and leave was granted counsel for appellants to file an additional brief within five days.

930. Charles E. Yates et al., Plffs in Error, vs. Jones National Bank,
231. Charles E. Yates et al., Plffs in Error, vs. Utica Bank,
232. Charles E. Yates et al., Plffs in Error, vs. Thomas Bailey,
233. Charles E. Yates et al., Plffs in Error, vs. Bank of Staplehurst.

The argument of these cases was commenced by Mr. Hallett T. Rose, of counsel for the plaintiffs in error, and continued by Mr. Lionel C. Burr and Mr. F. J. Thomas, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. N. Lyne it is ordered that George Bryan, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. A. VanOrsdel it is ordered that Walter Brandenburg, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn.

On motion first made to the Court in this behalf by

Esquire, of Davis, State of West Virginia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that Danford Robinson, Esquire, of New York City, and Forrest W. Brown, Esquire, of Charlestown, State of West Virginia, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel A. Piles it is ordered that John H. Ballinger and William B. Allison, Esquires, of Seattle, State of Washington, and James G. Wilson, Esquire, of Portland, State of Oregon, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Culberson it is ordered that George E. Wallace, Esquire, of El Paso, State of Texas, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Burton C. Wetmore, Administrator of the Estate of Charles H. Wetmore, deceased, to the use of John F. McKay, Plff in Error, vs. James L. Karnick. } In Error to the Court of Appeals of the District of Columbia.

1411

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

(Mr. Justice Brewer took no part in the decision of this case.)

Thomas R. Martin, Plff in Error, vs. The District of Columbia. } In Error to the Court of Appeals of the District of Columbia.

190.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court

that Court with directions to quash the assessment.

Per Mr. Justice Holmes.

(Mr. Justice Harlan, Mr. Justice White and Mr. Justice McKenna concur in the judgment.)

191. Clarence A. Brandenburg, Aff'g in Error, vs. The District of Columbia. } In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and remand the cause to that Court with directions to quash the assessment.

Per Mr. Justice Holmes.

(Mr. Justice Harlan, Mr. Justice White and Mr. Justice McKenna concur in the judgment.)

192. Northern Pacific Railway Company, John A. Millen et al., Aff'g in Error, vs. Jacob Slaght. } In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the

and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

(Mr. Justice Brewer took no part in the decision of this case.)

152. Northern Pacific Railway Company, Tacoma Grain Co., et al., Plffs in Error, vs. Margaret A. Slaght. } On Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

(Mr. Justice Brewer took no part in the decision of this case.)

188. The United States, Appellant, vs. The Bethlehem Steel Company. } Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court

this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition.

Per Mr. Justice Peckham.

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146. Jay Delamater, Plff in Error, vs. The State of South Dakota. In Error to the Supreme Court of the State of South Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Dakota, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same, is hereby, affirmed with costs.

Per Mr. Justice White.

Dissenting:
Mr. Chief Justice Fuller.

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405. Vuko Perovich, Plff in Error, vs. The United States. In Error to the District Court of the United States for the Third Division of the Territory of Alaska.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Third Division of the Territory of Alaska, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be

and the same is hereby, affirmed.

(Per Mr. Justice Brewer.)

221. O. V. Lawson, Plff in Error, vs. The State of Washington. In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Chief Justice Fuller.)

224. Rocopia Garza de Villereal, Juan Elias de la Garza and Mariana Gonzales de Garza, Plffs in Error, vs. The State of Texas. In Error to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Chief Justice Fuller.)

376. The Arkansas Southern Railroad Co., et al., vs. The German National Bank. Appeal in Error.

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

568. Continental Paper Bag Company, Petitioner, vs. Eastern Paper Bag Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein, to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

588. Illinois Central Railroad Co., et al., Appellants, vs. Interstate Commerce Commission.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 22d next.

Per Mr. Chief Justice Fuller.

601. Southern Railway Co., et al, Appellants, vs. H. H. Tift et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 22d next.

Per Mr. Chief Justice Fuller.

602. P. M. Angle, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

694. Frederick W. Ward, Petitioner, vs. John B. Hawk, Trustee, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court

632. Luigi Gandolfi and Hector Grassi and Cornelius N. N. Abbott, Petitioners, vs. Alfred C. Siegert, as surviving partner of the firm of Dr. J. G. B. Siegert & Son.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals, for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

590. The Mobile, Jackson & Kansas City Railroad Co. et al., Plffs in Error, vs. The State of Mississippi et al.

The motion to vacate the supersedeas herein was submitted to the consideration of the Court on printed arguments by Mr. Robert V. Fletcher, in support of the same, and Mr. William Hepburn Russell and Mr. Edward Mayes, in opposition thereto, and leave was granted counsel for the defendants in error to file a brief in reply within five days.

607. The Merchants National Bank of Baltimore, Appellant, v. The United States. Mr. James A. Hagerty, of Counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

638. Maggie Myers, Appellant, v. Andrew P. Wymore, late Sheriff &c., et al. Mr. H. B. C. Brown, in behalf of Counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.

640. Kentucky Distilleries & Warehouse Company, Petitioner, v. J. L. Blanton, Assignee &c., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William Marshall Bullitt, Mr. Leon Mayer, and Mr. Alfred Austrian, in support of the same, and Mr. Helm Bruce, in opposition thereto.

620. Thomas J. Shea, Petitioner, v. City of Mobile. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Harry T. Smith and Mr. Gregory L. Smith, in support of the same, and Mr.

676. Louis H. Downes, Petitioner, vs. The Peter Henry Dovel Investment Company.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Philip Mauro and Mr. Reeve Lewis, in support of the same, and Mr. Henry C. Brending, in opposition thereto.

254. North Shore Boom and Driving Company, Plaintiff in Error, vs. Nicomen Boom Company.

In Error to the Supreme Court of the State of Washington.

This cause having been called to the attention of the Court by Mr. S. A. Piles, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed, with costs.

Per Mr. Chief Justice Fuller.

677. Convent of St. Rose, Petitioner, vs. The United States Savings & Loan Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. W. Needham, in support of the same and Mr. C. S. Shank in opposition thereto.

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7. Origin

7. Origin

Samuel N. Leathe, Pltff in Error, vs. Edward L. Thomas

Mr. Charles F. Wilson, in behalf of Counsel for the appellant, suggested the death of Samuel N. Leathe, the appellant herein, and, on motion of Mr. Wilson, It is ordered that this cause be, and the same is hereby, passed temporarily.

Charles E. Yates et al, Pltffs in Error, vs. W. Jones National Bank.
Charles E. Yates et al, Pltffs in Error, vs. Utica Bank.
Charles E. Yates et al, Pltffs in Error, vs. Thomas Bailey.
Charles E. Yates et al, Pltffs in Error, vs. Bank of Naples.

The argument of these cases was concluded by Mr. F. H. Dewecse, of Counsel for the Plaintiffs in Error.

Commonwealth of Virginia, ex rel. vs. Complainant, State of West Virginia

On motion of Mr. H. A. Anderson, of Counsel for the Complainant, It is ordered that three hours be allowed each side for the argument on the demurrer in this cause.

Commonwealth of Virginia, ex rel. vs. Complainant, State of West Virginia

The argument of the demurrer herein was commenced by Mr. Charles E. Hogg, in support of the same, and continued by Mr. Jones Conrad, in opposition thereto.

Proclamation being made the Court is adjourned until

Tuesday, March 12th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. B. Heyburn it is ordered that Addison T. Smith, Esquire, of Boise, State of Idaho, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. A. Anderson it is ordered that John G. Williams, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

136. The United States et al, Appellants, vs. William B. Kirk. On motion of Mr. William A. Maury, in behalf of appellants' counsel, leave is hereby granted the Court to issue the mandate in this cause.

7, Original. Commonwealth of Virginia, Complainant, vs. The State of West Virginia. The argument of the demurrer herein was continued by Mr. Holmes Conrad and Mr. William A. Anderson, in opposition thereto, and concluded by Mr. John G. Carlisle, in support of the same, and leave was granted counsel for the complainant to file an additional brief within five days and counsel for the defendant to file a reply brief thereto within five days thereafter.

345. Thomas M. Fields, Plaintiff in Error, vs. The United States. The argument of this cause was commenced by Mr. Frank J. Hogan, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday March 13th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

No. 118. Andrew Patterson, Plff in Error, vs. Isham Taylor, Jailor of the City of Jacksonville, Florida. In Error to the Supreme Court of the State of Florida.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

235. Thomas M. Fiske, Plff in Error, vs. The United States. The argument of this cause was continued, by Mr. Frank J. Hogan, of Counsel for the plaintiff in error, and Mr. J. S. Esby Smith, of Counsel for the defendant in error, and concluded by Mr. John C. Fillings, of Counsel for the plaintiff in error.

234. Charles P. Cheney Receiver &c., Plff in Error, vs. The Fidelity & Deposit Co. The argument of this cause was commenced by Mr. R. M. Campbell, of Counsel for the plaintiff in error, and continued by Mr. Edgar H. Gans, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, March 11th, 1906.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Lee S. Overman it is ordered that Moses N. Amis, Esquire, of Raleigh, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

211. Charles T. Cherry, Receiver &c., Plff in Error,
vs.
The Fidelity & Deposit Co.,

The argument of this cause was concluded by Mr. Edgar H. Farrar, of counsel for the defendant in error.

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213.

Winthrop Astor Chanler et al, Plffs in Error, vs. Otto Kelsey, Comptroller &c. This cause was argued by Mr. Lewis H. Boone, of counsel for the plaintiffs in error, and Mr. David B. Hill, of counsel for the defendant in error.

Stevenson Iron Mining Co, Plff in Error, vs. Elmer A. Hibbs. This cause was argued by Mr. John G. Williams, of counsel for the plaintiff in error, and Mr. E. A. Anderson, of counsel for the defendant in error.

Chicago, Burlington & Quincy Railway Company, vs. Edgar C. Williams. The argument of this cause was commenced by Mr. O. A. Dann, of counsel for the Railway Company.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Monday, March 15th, 1907.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.
John N. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that John A. Atwood, Esquire, of Leavenworth, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. 165.

Chicago, Burlington & Quincy Railway Company,
v.
Edgar C. Williams.

The argument of this cause was concluded by Mr. O. N. Dean, of counsel for the Railway Company, and the cause was submitted on printed arguments by Mr. John A. Denison and Mr. Timothy J. Butler, of counsel for Williams.

No. 111. Albert K. Hiscock, Trustee, Appellant, vs. The Varick Bank of New York. This cause was argued by Mr. Will B. Crowley, of counsel, for the appellant, and Mr. F. M. Ogadi, of counsel for the appellee.

No. 115. The Mercantile Trust Co., Plff in Error, vs. Melville D. Hensey. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Hayden Johnson and Mr. John Ridout, of Counsel for the plaintiff in error, and Mr. A. A. Birney and Mr. N. P. Woodard, of Counsel for the defendant in error.

No. 247. Mexican Central Railway Co., Limited, vs. J. W. Eckman, Guardian &c. The argument of this cause was commenced by Mr. E. K. Thayer, of counsel for the Railway Company.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. H. Robeson it is ordered that Frank E. Carstarphen, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Matthews it is ordered that Herbert J. Goudge, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stuart McNamara it is ordered that

Esquire, of New York City, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. T. Michener it is ordered that William R. Wood, Esquire, of Lafayette, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Henry H. Urquhart as Sheriff of Lewis County, Washington, Appellant, vs. Thomas Brown. } Appeal from the Circuit Court of the United States for the Western District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Washington, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the order discharging the appellee, and enter an order denying the application for a writ of habeas corpus, leaving the appellee in the custody of the State, with liberty to apply for a writ of error to review the judgment of the Supreme Court of Washington.

911. Robert J. Tracey, Plff in Error, vs. Albert A. Ginzberg, individually and as Trustee in bankruptcy of N. S. Long & Company. In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

180. The United States, Appellant, vs. Donn C. Mitchell. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with a direction to enter judgment in favor of the claimant for $125.

Per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court would take a recess from Monday the 25th inst. to Monday April 8th next.

234. Charles T. Cheney, as Receiver of The Capital National Bank of Guthrie, Oklahoma, vs. The Fidelity & Deposit Company, Plff in Error, In Error to the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller

242. Stevenson Iron Mining Company, vs. Elmer A. Kibbe, Plff in Error, In Error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this

costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

(Per Mr. Chief Justice Fuller.)

590. The Mobile, Jackson & Kansas City Railroad Co. et al., Plffs in Error, vs. The State of Mississippi et al.

On consideration of the motion to vacate the supersedeas herein, It is now here ordered by the Court that proceedings on the decree below are superseded and stayed until the further order of this Court on plaintiffs in error filing bond in the penal sum of $5,000, conditioned according to law, and approved by the Clerk of this Court.

(Per Mr. Chief Justice Fuller.)

607. The Merchants National Bank of Baltimore, Appellant, vs. The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied, without prejudice.

(Per Mr. Chief Justice Fuller.)

638. Maggie Myers, Appellant, vs. Andrew P. Symmes, late Sheriff &c. et al.

On consideration of the motion to advance this cause, It is now here or-

that said motion be, and the same is hereby granted and the cause assigned for argument on Monday April 22nd next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

620. Thomas J. Shea, Appellant, vs. City of Mobile, Appellee. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

627. Convent of St. Rose, Petitioner, vs. The United States Savings & Loan Company. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

679. Louis N. Downes, Petitioner, vs. The Peter-Neary Development Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

680. Kentucky Distilleries & Warehouse Co., Petitioner, vs. J. L. Blanton, Assignee &c., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

682. William Spaugh, Jr., Appellant, vs. N. L. Pitts, Sheriff &c. Mr. H. B. C. Brown, in behalf of counsel for the appellee, submitted to

Court a motion to advance this cause.)

614. Louisville & Nashville Rail-road Co., Appellant, vs. Erasmus L. Mobley et al. Mr. Attorney General Bonaparte, in behalf of counsel for the appellant, submitted to the Court a motion to advance this cause.

561. L. Lechenger et al., Plffs in Error, vs. Merchants National Bank of Newton et al. Motions to dismiss or affirm herein were submitted to the consideration of the Court on the record, and printed arguments by Mr. John W. Carlton and Mr. A. L. Jackson, in support of the same, and Mr. Frank C. Jones and Mr. James A. Baker, in opposition thereto.

630. Morris Edelstein, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. H. B. Matthews, in support of the same, and Mr. Solicitor General Hoyt, in opposition thereto.

635. Southern Railway Co., Petitioner, vs. Hubbard Brothers & Company. The petition for a writ of certiorari herein was submitted to

the Court by Mr. H. A. Henderson, Mr. Carrathers Ewing, and Mr. A. P. Thom, in support of the same.

351. Margaret Taylor, Appellant, vs. John C. Grant. Appeal from the Supreme Court of the Territory of Oklahoma.

Appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

107. Thomas Milner Harrison, Plff in Error, vs. J. A. Magoon et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thomas Milner Harrison, in propria persona, and Mr. D. L. Withington and Mr. A. G. N. Robertson, of counsel for the plaintiff in error, and Mr. J. A. Magoon, Mr. F. B. McStocker and D. Emerson, in propria persona, and Mr. E. B. McClanahan, of counsel for the defendants in error.

247. Mexican Central Railway Co., Limited, vs. J. H. Eckman, guardian &c. The argument of this cause was continued by Mr. E. R. Thayer, of

Company and Mr. Jorge E. Walton of counsel for Eckman, guardian &c., and concluded by Mr. E. K. Thayer, of counsel for the Pittsburg Company.

Ex parte In the matter of James Pollitt, Petitioner.

Mr. Frederic D. McKenney in behalf of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus [illegible]

358. Homer E. Grafton, Plaintiff in Error, v. The United States.

The argument of this cause was commenced by Mr. Clarence S. Hunter of counsel for the plaintiff in error, and continued by Mr. Solicitor General Hoyt, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March 9th, 1909.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Guy E. Farquhar and Charles E. Berger, Esquires, of Ottsville, State of Pennsylvania, and Alexander Cumming, Esquire, of New Haven, State of Connecticut, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that Wallace R. Lane, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. S. Breon it is ordered that James H. Berans, Esquire, of Washington, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Aldrich it is ordered that Henry W. Prouty, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

358. Homer E. Grafton, Plff in Error, v. The United States. The argument of this cause was continued by Mr. Solicitor General Hoyt, of counsel, for the defendant in error, and concluded by Mr. John A. Atwood, of counsel for the plaintiff in error.

401. Will D. Gould et al, Appts, vs. Leo V. Youngworth, U.S. Marshal.
415. Marion Gillelen et al, Appts, vs. Leo V. Youngworth, U.S. Marshal.
432. Leo R. Myers, Appt, vs. A. J. Osborne, U.S. Marshal.

The argument of these cases was commenced by Mr. Will D. Gould, of counsel for the appellants in No. 401, and continued by Mr. A. J. Loudge, of counsel for the appellants in No. 415, and Mr. Assistant Attorney General Sanford, of counsel for the appellee.

Proclamation being made the Court is adjourned

Wednesday, March 20th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. P. Stanford it is ordered that Alexander H. Sands, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel P. Fisher it is ordered that Wilmot Mumma, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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Ville D. Gould et al. Appts. vs. Leo V. Youngworth, U.S. Marshal.
Ingvar Lillebeck et al, Appts. vs. Leo V. Youngworth, U.S. Marshal.
Lee R. Myers, Appellant vs. H. J. Osborne, U.S. Marshal.
The argument of these causes was concluded by Mr. A. J. Loudge, of counsel for the appellants in the last

Emma L. Kaipu, in behalf of Mikala Kaipu, Appellant, vs. L. E. Pinkham, President of the Board of Health, Appellee. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. G. M. Robertson, of counsel for the appellant, and Mr. Lorrin Andrews, of counsel for the appellee.

Frederick J. Lowrey et al, Trustees, Appellants, vs. The Territory of Hawaii, Appellee. This cause was argued by Mr. D. L. Withington, of counsel for the appellants, and submitted on printed argument by Mr. Lorrin Andrews, of counsel for the appellee.

William H. Rice, Limited, Appellant, vs. Clinton J. Hutchins, Trustee, Appellee. The argument of this cause was commenced by Mr. Charles H. Aldrich, of counsel for the appellant, and continued by Mr. D. L. Withington and Mr. A. G. M. Robertson, of counsel for the appellee.

Proclamation being made the Court is adjourned until

Monday March 9th 1903

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. B. Brown it is ordered that David W. Hill, Esquire, of Poplar Bluff, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

916.

973.

461. John Romig et al., Appellants, vs. Myrtle Gillett.

On motion of Mr. H. T. Woodard, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

130.

illiam H. Bierce, Limited, Appellant,
vs.
linton J. Hutchins, Trustee

The argument of this cause was concluded by Mr. Charles H. Aldrich, of counsel for the appellant, and leave was granted counsel for both parties to file additional briefs.

. G. Ballentine et al, Appellants,
vs.
illiam O. Smith, Trustee, et al.

This cause was argued by Mr. D. L. Withington, of counsel for the appellants, and Mr. Francis M. Hatch, of counsel for the appellees.

avid Kawananakoa et al, Appellants,
vs.
len Albertina Polyblank, Trustee, et al

This cause was argued by Mr. W. B. Browne, of counsel for the appellees, and submitted on printed argument by Mr. Sidney M. Ballou, of counsel for the appellants.

uisa Sauer et al, Plaintiffs in Error,
vs.
e City of New York

This cause was reargued by Mr. Abram J. Elkus, of counsel for the plaintiffs in error, and Mr. Theodore Connoly, of counsel for the defendant in error.

clamation being made the Court is adjourned until

Friday, March 22d, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

111.

On motion first made to the Court in this behalf by Mr. Martin L. Clardy it is ordered that James Clarke Jeffery, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

253.

768. Robert Manford, Plff in Error, vs. The State of Minnesota. } In Error to the Supreme Court of the State of Minnesota.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by

this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan.

James Buck, Trustee &c., Plaintiff in Error, vs. William E. Beach, Treasurer &c. } The argument of this cause was commenced by Mr. Byron H. Langdon, of counsel for the plaintiff in error, continued by Mr. William R. Wood, of counsel for the defendant in error, and concluded by Mr. W. H. H. Miller, of counsel for the plaintiff in error.

R. G. Stone et al., Appellants, vs. Southern Illinois & Missouri Bridge Company. } The argument of this cause was commenced by Mr. Shepard Barclay, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, March 25th, 1907.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

156.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. H. P. S. Curtis it is ordered that Vernon E. Hodges, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn, accordingly.

On motion first made to the Court in this behalf by Mr. J. T. VanOrsdel it is ordered that Edward G. Built, Esquire, of Clarksburg, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank P. Sargent it is ordered that

River, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. S. Dixon it is ordered that Horace Van Everen, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Rochester Railway Company, Plaintiff in Error, v. City of Rochester. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs, and interest until judgment the same rate per annum that similar judgments are in the Courts of the State of New York.

Per Mr. Justice Moody.

Mr. Justice White concurs in the result.

Empire State-Idaho Mining and Developing Company and Federal Mining & Smelting Co, Appellants, vs. Kennedy J. Hanley. | Appeal from the Circuit Court of the United States for the District of Idaho.

906.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, for the want of jurisdiction.

Per Mr. Justice Day.

William Moore and J. S. McFiren, partners, doing business under the firm-name of Moore & McFiren, Appellants, vs. R. J. McGuire, E. N. Woods, E. S. Woods et al. | Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

911

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the

to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Harlan.
(Mr. Justice Peckham took no part in the decision of this case.)

Albert K. Hiscock, Trustee in bankruptcy of Jacob Mc. Mertens et al., Petitioners, vs. Jacob Mc. Mertens. 204.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court for the United States for the Northern District of New York.

Per Mr. Justice McKenna.

770. Davidson Steam Ship Company, Aff'in Error, vs. The United States of America. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, Affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota.

Per Mr. Justice Brewer.

936. Edward A. Love, Aff'in Error, vs. Annie Flahive and Andrew J. Lansing. In Error to the Supreme Court of the State of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, Affirmed with costs.

Per Mr. Justice Brewer.

(Mr. Justice White took no part in the decision of this case.)

Thomas Tindle and Willis K. Jackson, Plffs in Error, vs. Clarence D. Birdsall, — In Error to the Supreme Court of the State of New York.

217.

This cause came on to be heard on the transcript of the Record from the Supreme Court of the State of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with Costs.

(Per Mr. Chief Justice Fuller.)
(announced by Mr. Justice Harlan)

Ex parte In the matter of James Pollitz, Petitioner. — On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

16, Original

(Per Mr. Justice Harlan.)

Ex parte In the matter of James Pollitz, Petitioner. — On consideration of the petition of James Pollitz, It is now here ordered by the Court that same be shown by the Honorable E. Henry Lacombe, Circuit Judge of the United States for the Second Circuit, and for the Southern District

16, Original.

for the Southern District of New York, before this Court, at the City of Washington, on Monday, April 8th, 1907, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

(Per Mr. Justice Harlan.)

561. L. Lechinger et al., vs. Affts in Error, Merchants National Bank of Houston et al.) It is ordered by the Court that the further consideration of the motion to dismiss, or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

(Per Mr. Justice Harlan.)

620. Morris Edelstein, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Justice Harlan.)

623. Southern Railway Company, Petitioner, vs. Hubbard Brothers & Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Justice Harlan.

642. William Gaugh, Jr., Appellant, vs. N. L. Tills, Sheriff &c. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Monday, April 22d, 1907, after the cases heretofore assigned for that day.

Per Mr. Justice Harlan.

644. Louisville & Nashville Railroad Co., Appellant, vs. Erasmus L. Molloy et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby denied without prejudice.

Per Mr. Justice Harlan.

Order.

The Reporter having represented that owing to the number of decisions at the present term it would be impracticable to put the reports in one volume, it is, therefore, now here ordered that he publish an additional volume in this year pursuant to Section 681 of the Revised Statutes.

(Per Mr. Justice Harlan.)

567. Wm. A. Ellis, Plff in Error, vs. The United States.
661. Eastern Dredging Co., Plff in Error, vs. The United States.
665. Same vs. Same.
666. Same vs. Same.
667. Bay State Dredging Co., Plff in Error, vs. Same.
668. Same vs. Same.
669. Same vs. Same.

Mr. Solicitor General Hoyt submitted to the consideration of the Court a motion to advance these cases.

324. John Newton Williamson, Plff in Error, vs. The United States. Mr. Solicitor General Hoyt submitted to the consideration of the Court a motion to advance this cause.

616. William F. D. Taylor, Petitioner, vs. The United States. Mr. Solicitor General Hoyt, in behalf of counsel for the petitioner, submitted to

Court a motion to advance this cause.)

661. Abraham Ruef, Plff in Error, vs. Thomas F. O'Neil, Sheriff of the City and County of San Francisco, State of California. In Error to the Superior Court of the City and County of San Francisco, State of California.

This cause having been called to the attention of the Court by Mr. A. B. Browne, of Counsel for the Plaintiff in Error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan.

661. Abraham Ruef, vs. Thomas F. O'Neil, Sheriff &c. On motion of Mr. F. D. McKenney, of Counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

663. Smokeless Fuel Co., Petitioner, vs. Samuel H. Allen & Son. The petition for a writ of certiorari herein was submitted to the Court on printed arguments by Mr. Alexander H. Sands,

opposition thereto.

257. Timothy P. Paddell, Plff in Error, vs. The City of New York.

Mr. Everett V. Abbot of Counsel for the Plaintiff in error, submitted to the Consideration of the Court a motion to advance this cause.

636. N. Wesley Kurtz, Petitioner, vs. Arthur K. Brown, Surviving Receiver &c.

The petition for a writ of Certiorari herein was submitted to the Consideration of the Court on printed arguments by Mr. Rudolph M. Schick, in support of the same, and Mr. R. D. Brown, Mr. Malcolm Lloyd, Jr. and Mr. Charles H. Burr, in opposition thereto.

646. Elizabeth J. Hand, Petitioner, vs. Dempsey Libby et al. Executors &c.

The petition for a writ of Certiorari herein was submitted to the Consideration of the Court on printed arguments by Mr. Frank R. Savidge, in support of the same, and Mr. J. Parker Kirlin and Mr. Charles R. Hedges, in opposition thereto.

253. R. J. Stone et al, Plffs in Error vs. Southern Illinois & Missouri Bridge Company.

The argument of this cause was concluded by Mr.

of Counsel for the defendant in error

Proclamation being made the Court is adjourned until Monday April 8th next at twelve o'clock

Monday, April 8th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Bonaparte it is ordered that Isaac N. Jordan, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James F. Meagher it is ordered that Jesse Jay Ricks, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward A. [illegible]

Torrance, Esquire, of Winfield, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Dickinson it is ordered that Charles H. Hamill, Esquire, of Chicago, State of Illinois, and J. H. Canada, Esquire, of Memphis, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alex. Pope Humphrey it is ordered that Benjamin D. Warfield, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hamilton Lewis it is ordered that Harry A. Lewis, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. S. Masten it is ordered that F. H. Cottell, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this

Monday, April 8th, 1907, Continued.

On motion first made to the Court in this behalf by Mr. John P. Wilson it is ordered that Emil Richard Lindblom, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hannis Taylor it is ordered that Frank Coy Allis, Esquire, of Holley, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred Dade it is ordered that Malcolm C. Woods, Esquire, of Marion, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

199. Metropolitan Life Insurance Company of New York, Plff in Error, vs. The City of New Orleans et al. In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

227. Behn, Meyer & Company, Plaintiffs in Error, vs. Campbell & Co Jones. In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the Philippine Islands.

Per Mr. Justice Moody.

213. Mary Annis Quinlan, Executrix vs. Green County, Kentucky. On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the second question certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Moody.

215. Iroquois Transportation Company, Claimant of the Steamship "Winnebago" &c., Plff in Error, v. De Laney Forge & Iron Company. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

214. Iroquois Transportation Company, Claimant of the Steamship "Winnebago" &c., Plff in Error, v. George W. Edwards et al. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

225.

212.

Augusta A. Peterson and Ida Peterson, a minor, vs. The Chicago, Rock Island & Pacific Railway Company, Plffs in Error, In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

Dissenting:
Mr. Chief Justice Fuller and
Mr. Justice Moody.

William M. Pierce, Limited, vs. Appellant, Clinton J. Hutchins, Trustee, Appeal from the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the

conformity with the opinion of this Court.
Per Mr. Justice Holmes.

273. David Kawananakoa et al., Appellants, vs. Ellen Albertina Polyblank, otherwise known as Sister Albertina, Trustee &c., et al. Appeal from the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.
Per Mr. Justice Holmes.

314. Clarence P. Hunt, Appellant vs. The New York Cotton Exchange. Appeal from the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.
Per Mr. Justice Holmes.

The Mercantile Trust Company, Plff in Error, vs. Melville D. Kenney. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

Mr. Justice Brewer took no part in the decision of this case.

Addison Johnson, Agent and Warden of the State Prison of the State of New York at Sing Sing, N. Y., Appellant, vs. Charles E. Browne. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

Gila Bend Reservoir and Irrigation Company,
976 of Oct. T. 1905. vs. Appellant,
The Gila Water Company.

On consideration of the petition for rehearing herein, It is now here ordered by the Court that said petition be, and the same is hereby denied.

(Per Mr. Justice Brewer.)

(Mr. Justice Moody took no part in the decision of this case.)

C. G. Ballentyne and Honolulu Rapid Transit and Land Company
vs. Appellants,
716. William O. Smith, Trustee, The Pacific Heights Electric Railway Co., Limited, and C. S. Desky.

Appeal from the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

Thomas M. Fields,
345. vs. Petitioner
The United States.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District

said petition be, and the same is hereby denied.

Per Mr. Justice Brewer.

395. Thomas M. Fields, Plff in Error, vs. The United States. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brewer.

Mr. Justice White concurs in the judgment.

145. James D. Swing, as Trustee for the Creditors of The Union Mutual Fire Insurance Company of Cincinnati, Ohio, Plff in Error, vs. The Weston Lumber Company. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed for the

1. Edward J. Peaney, In Error to the Circuit Court
vs. of the United States for the
Nevada N. Stranahan. Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Mr. Justice McKenna concurs in the judgment.

Mr. Justice White and Mr. Justice Holmes specially concurring.

Mr. Justice Moody took no part in the decision of this case.

235. John Edward McCarty, Appeal from the Circuit
vs. Appellant, Court of the United States,
The United States. for the Northern District
of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Mexican Central Railway Company, Limited, vs. J. J. Eckman, guardian of Charlie A. Page, a minor. } On a certificate from the United States Circuit Court of Appeals for the Fifth Circuit.

No. 167.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Fuller.

Will D. Gould and David M. Goodwin, Appellants, vs. Leo V. Youngworth, United States Marshal of the Southern District of California. } Appeal from the Circuit Court of the United States for the Southern District of California.

No. 401.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed with

remanded to the said Circuit Court with directions to discharge the petitioners, without prejudice to a renewal of the application to remove.

Per M. Chief Justice Fuller.

Warren Gillelen and R. H. Kenny, Appellants, vs. Leo V. Youngworth, United States Marshal for the Southern District of California. } Appeal from the Circuit Court of the United States for the Southern District of California.

1115.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the petitioners, without prejudice to a renewal of the application to remove.

Per M. Chief Justice Fuller.

Lee R. Myers,
1631. vs. Appellant
N. J. Osborne, United States Marshal for the Southern District of California.

Appeal from the Circuit Court of the United States for the Southern District of California.

This cause coming to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the final order of the said Circuit Court in this cause be, and the same is, hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the petitioner, without prejudice to a renewal of the application to remand.

Per Mr. Chief Justice Fuller.

The State of New Jersey,
1, Original. vs. Complainant,
The State of Delaware.

It is now here ordered by the Court that cause be shown by the complainant herein on or before Monday, the 15th instant, why this cause should not be dismissed.

Per Mr. Chief Justice Fuller.

John Newton Williamson,
394. vs. Plff in Error

here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Monday, October 21st next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

567. William A. Ellis, Aff'in Error, vs. The United States.
611. Eastern Dredging Co., Aff'in Error, vs. Same.
665. Same vs. Same.
666. Same vs. Same.
667. Bay State Dredging Co., Aff'in Error, vs. Same.
668. Same vs. Same.
669. Same vs. Same.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument, as one case, on Monday, the 15th instant, after the cases heretofore assigned for that day, the time for argument to be limited to one hour for each side, or the cases may be submitted on printed briefs on or before the 14th instant.

Per Mr. Chief Justice Fuller.

616. William F. D. Taylor, Petitioner, vs. The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 21st next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

for that day.

(Per Mr. Chief Justice Fuller.)

652. Timothy F. Paddell, Appellant, vs. The City of New York. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied without prejudice.

(Per Mr. Chief Justice Fuller.)

636. W. Wesley Kuntz, Petitioner, vs. Arthur K. Brown, Surviving Receiver of The American Ale-Kali Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

616. Elizabeth J. Ward, Petitioner, vs. Dampskibsselskabet Kjoebenhavn. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

663. Smokeless Fuel Company, Petitioner, vs. Samuel H. Colwell & Son. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

270. Jose Ramos, Plff in Error, v. The United States. The motions to dismiss or affirm or to advance herein were submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Hoyt, in support of the same, and Mr. A. B. Browne and Mr. Alex. Britton, in opposition thereto.

349. John M. Flemister, Plff in Error, v. The United States. The motions to dismiss or affirm or to advance herein were submitted to the consideration of the Court on a printed argument by Mr. Solicitor General Hoyt, in support of the same.

156. A. R. Stuart, Plff in Error, v. The United States. The motions to dismiss or affirm or to advance herein were submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Hoyt, in support of the same, and Mr. W. H. Dudley and Mr. L. P. Michener, in opposition thereto.

548. Nicolas Arce, Plff in Error, v. The United States. The motions to dismiss or affirm or to advance herein were submitted to the consideration of the Court on a printed argument by Mr. Solicitor

Frank De L. Carrington, Plff in Error,
577, 598, 599. vs.
The United States.

The motions to dismiss or affirm or to advance herein were submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Hoyt, in support of the same, and Mr. R. A. Ballinger, in opposition thereto.

Euclid Park National Bank of Cleveland, Ohio, etal,
vs. Petitioners,
694. Union Trust & Deposit Co., Trustee.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles D. Merrick, in support of the same, and Mr. B. M. Ambler, in opposition thereto.

Catharine J. White, Executrix &c,
vs. Petitioner
684. The Pennsylvania Railroad Co.
Catharine J. White, Executrix &c,
vs. Petitioner,
690. The Steam Ferry Boat "Philadelphia".

The petition for writs of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. LaRoy S. Love and Mr. F. J. Macklin, in support of the same, and Mr. Henry Gallowith Ward, in opposition thereto.

Bay Prairie Irrigation Co.
vs. Petitioner,
693. Richard [illegible]

The petition for a writ of certiorari herein was

sideration of the Court on printed argument by Mr. Hannis Taylor, Mr. A. L. Jackson and Mr. A. M. Gatewood, in support of the same, and Mr. Richard Richard Wood, in propria persona, in opposition thereto.

691. Standard Oil Company, Petitioner, vs. Edward Anderson. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles M. Fuller, in support of the same.

693. Robert P. Neill, Trustee &c., Petitioner, vs. The Union National Bank of Kansas City, Missouri. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. E. C. Brandenburg, in support of the same, and Mr. M. L. Crawford, in opposition thereto.

287. American Tobacco Co., Plff in Error, vs. Emil Heredmeister. Mr. Fritz v. Briesen, in behalf of counsel, submitted to the consideration of the Court a motion to advance, these cases.

288. Emil Heredmeister, Plff in Error, vs. American Tobacco Co.

603. The Cleveland Cliffs Iron Co., Petitioners, vs. The East Itasca Mining Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. H. P. Belden in support of the same, and Mr. J. L. Washburn, in opposition thereto.

641. Troy Wagon Works Co., Petitioners, vs. Howard L. Hanover, Trustee. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles Martindale and Mr. A. W. Dulley in support of the same, and Mr. James W. Noel, in opposition thereto.

493. Frederick Seymour Burrington, Plff in Error, vs. The State of Missouri. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. H. S. Hadley, in support of the same, and Mr. H. G. Johnson, in opposition thereto.

591. Delmar Jockey Club, Petitioner, vs. State of Missouri on the relation of the Attorney General. The Motions to dismiss or affirm in this cause were submitted to the consideration of

arguments by Mr. A. S. Hadley, in support of the same, and Mr. A. H. Bond, in opposition thereto.

587. Dismukes Howard Admx &c., Plff in Error, vs. The Illinois Central R. R. Co. Deft in Error.

On motion of Mr. Alex. Pope Humphrey, of counsel for the defendant in error in No. 587, this order was entered by the Court that these cases be argued as one case and one-half hour additional time allowed each side for the argument.

5711. N. C. Brooks, Admx &c., Plff in Error, vs. Southern Pacific Company.

Ex parte In the matter of Fernando Vasquez Morales et al, Petitioners.

Mr. Herbert E. Smith, of counsel, submitted to the consideration of the Court a motion for leave to file a petition for allowance of writ of

651. County of Presidio, Texas, Petitioner, vs. The Noel Young Bond and Stock Company.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. P. J. Beall, in support of the same, and Mr. Midland Patterson, in opposition thereto.

166. City of Chicago, Appellant, vs. Chicago City Railway Company. — Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called to the attention of the Court by Mr. John P. Wilson, of Counsel for the appellee, and he having confessed error and moved the Court to reverse the decree of the Circuit Court herein, and Counsel for the appellant consenting thereto, It is, thereupon, now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with law.

Per Mr. Chief Justice Fuller.

1171. Luis Bravo, Alberto Bravo, Alejandro Bravo, and Jacobo Bravo, Copartners under the firm-name of A. Bravo & Co., Appellants, vs. Emilio Gomez, Jose A. Fernandez et al. — Appeal from the District Court of the United States for the District of Porto Rico.

This cause having been called to the attention of the Court by Mr. Frederic D. McKenney, in behalf of Counsel, and a stipulation of Counsel for the

been filed. Therefore, in pursuance of said stipulation, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

658. School District No. 11, Dakota County, Nebraska, Petitioner, vs. Edward A. Chapman et al., Administrators &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Albert N. Hubbard, in support of the same.

673. The Deutsche Levante Linie, Claimant &c., Petitioner, vs. J. Samuel Stephenson et al.;
674. The Deutsche Levante Linie, Claimant &c., Petitioner, vs. Constantine S. Galanopulo;
675. The Deutsche Levante Linie, Claimant &c., Petitioner, vs. The Hills Brothers Company;
676. The Deutsche Levante Linie, Claimant &c., Petitioner, vs. The National Board of Marine Underwriters;
677. The Deutsche Levante Linie, Claimant &c., Petitioner, vs. William H. Harris.

The petitions for writs of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Harrington Putnam, in support of the same and Mr.

684. Hammond Packing Co. vs. Plff in Error, The State of Arkansas. Mr. Robert A. Howard, in behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

73. William S. Dexter et al., Trustees, vs. Plffs in Error, Salem D. Charles et al. It is ordered by the Court that the order continuing this cause until the next term be, and the same is hereby, vacated, and set aside.

73. William S. Dexter, Charles E. Cotting, Francis C. Welch, and Charles F. Adams, 2d, as surviving trustees of The Boston Real Estate Trust, vs. Plffs in Error, Salem D. Charles, James A. Galliver, and John N. Duane, as The Board of Street Commissioners of the City of Boston. In Error to the Supreme Judicial Court of the State of Massachusetts.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

237. Bainbridge N. Burdick, Appellant, vs. William Dillon, University Press et al. } Appeal from the United States Circuit Court of Appeals for the First Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed.

Per Mr. Chief Justice Fuller.

678. Texas & Pacific Railway Company, Plff in Error, vs. Ben Smith. } In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

It appearing to the Court that a motion by counsel for the plaintiff in error, to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

16. Original. Ex parte In the matter of James Pollitz, Petitioner. } This cause was argued by Mr. Rogers, Taylor, of Counsel for

Wm. Rush Taggart, of counsel for the respondent

1435. Robert M. Green, vs. Plff in Error, Chicago, Burlington & Quincy Railway Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John G. Johnson and Mr. Frank P. Prichard, of counsel for the plaintiff in error, and Mr. Francis Rawle, of counsel for the defendant in error.

1421. Samuel B. Raymond, County Treasurer &c., et al., vs. Appellants, Chicago Union Traction Co.

1425. Samuel B. Raymond, County Treasurer &c., et al., vs. Appellants, Chicago Edison Co.

1426. Samuel B. Raymond, County Treasurer &c., et al., vs. Appellants, Chicago City Railway Co.

1427. Samuel B. Raymond, County Treasurer &c., et al., vs. Appellants, The South Chicago City Railway Co.

1428. Samuel B. Raymond, County Treasurer &c., et al., vs. Appellants, The Peoples Gas Light and Coke Co.

1429. Samuel B. Raymond, County Treasurer &c., et al., vs. Appellants, Chicago Telephone Co.

1130. Samuel B. Raymond, County Treasurer &c., et al., Appellants, vs. Chicago Consolidated Traction Co.

The argument of these cases was commenced by M. D. K. Sone, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, April 9th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John N. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Ormsby McHarg it is ordered that B. D. Townsend, Esquire, of Fargo, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Hale C. Johnson, Esquire, of Elyria, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

417. Stevenson, Iron Mining Co., vs. Elmer A. Kibbe, Plff in Error, On motion of Mr. Charles F. Wilson, in behalf of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

414. Samuel B. Raymond, County Treasurer &c., et al., Appellants, vs. Chicago Union Traction Co.

425. Samuel B. Raymond, County Treasurer &c., et al., Appellants, vs. Chicago Edison Co.

426. Samuel B. Raymond, County Treasurer &c., et al., Appellants, vs. Chicago City Railway Co.

427. Samuel B. Raymond, County Treasurer &c., et al., Appellants, vs. The South Chicago City Railway Co.

428. Samuel B. Raymond, County Treasurer &c., et al., Appellants, vs. The Peoples Gas Light & Coke Co.

429. Samuel B. Raymond, County Treasurer &c., et al., Appellants, vs. Chicago Telephone Co.

1430. Samuel B. Raymond, County Treasurer &c., et al., vs. Chicago Consolidated Traction Co. } Appellants,

The argument of these cases was continued by Mr. William G. Beale, of counsel for the Chicago Edison Co., Mr. James H. Meagher, of counsel for the Peoples Gas Light & Coke Co., Mr. James Hamilton Lewis, of counsel for the appellants, and Mr. John P. Wilson, of counsel for the Chicago City Railway Co., and concluded by Mr. David K. Tone, of counsel for the appellants, and leave was granted counsel to file additional briefs within ten days.

580. The United States, vs. Conrad Heinzen & Co. } Appellant,

On motion of Mr. Attorney General Bonaparte, it is ordered that three counsel be allowed to argue this case orally for each side and that one-half hour additional time be allowed each side.

On motion of Mr. Benjamin Mieon leave is hereby granted him to file a printed brief on behalf of certain interested parties.

580. The United States, vs. Conrad Heinzen & Co. } Appellant.

The argument of this cause was commenced by Mr. Assistant Attorney General Van Orsdel, of counsel for the appellant.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer
Edward D White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

395. Thomas M. Fields vs. Iff in Error
The United States.

On motion of Mr. Solicitor General Hoyt, leave is hereby granted the Clerk to issue the mandate in this cause.

971. The United States, vs. A. Graf Distilling Co.

It is ordered by the Court that this cause be, and the same is hereby, Continued until the next term, per stipulation of Counsel.

Wednesday, April 10th, 1907, Continued.

580. The United States, Appellant, vs. Conrad Heinzen & Co.

The argument of this cause was continued by Mr. Assistant Attorney General Van Orsdel, of counsel for the appellant, Mr. Frederic R. Coudert, of counsel for the appellees, Mr. Solicitor General Hoyt, of counsel for the appellant, and Mr. Henry M. Ward, of counsel for the appellees, and concluded by Mr. Attorney General Bonaparte, of counsel for the appellant.

587. Ramsella Howard, Admix &c., Plff in Error, vs. The Illinois Central R. R. Co. et al.

594. N. C. Brooks, Admix &c., Plff in Error, vs. Southern Pacific Co.,

The argument of these cases was commenced by Mr. William R. Starr, of counsel for the plaintiff in error in No. 587.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank Hagerman it is ordered that Henry De L. Ashley, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte In the matter of
The St. Louis Mining & Milling
Company of Montana,
Petitioner.

Mr. H. Poston, of Counsel for the petitioner, submitted to the Consideration of the Court a motion for leave to file a petition for a writ of man-

587. Damselle Howard, Admix &c.,
vs. } Iff in Error,
The Illinois Central R.R.Co., et al

594. N. C. Brooks, Admix &c.,
vs. } Iff in Error,
Southern Pacific Company.

The argument of these cases was continued by Mr. William R. Hare, of counsel for the plaintiff in error in No. 587, Mr. J. M. Dickinson, of counsel for the defendants in error in No. 587, Mr. Jesse E. Torrance, of counsel for the plaintiff in error in No. 594, and Mr. Alex. Pope Humphrey, of counsel for the defendant in error in No. 594, and ——— by Mr. Attorney General Bonaparte for the United States.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James M. Dohan it is ordered that William Dike Reed, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

970. Jose Parrais, Plff in Error, vs. The United States. It is ordered by the Court that the further consideration of the motions to dismiss or affirm, in this cause be, and the same is hereby, postponed, until the hearing of the cause on the merits.

It is further ordered that the motion to advance

restored to its place on the docket for argument when reached.

Per Mr. Chief Justice Fuller.

314. John M. Hemister, Plff in Error, vs. The United States.
456. A. K. Stuart, Plff in Error, vs. The United States.
543. Nicolas Arces, Plff in Error, vs. The United States.
597. Frank de L. Carrington, Plff in Error, vs. The United States.
598. Same, vs. Same,
599. Same, vs. Same.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in these cases be, and the same is hereby postponed until the hearing of the cases on the merits.

It is further ordered that these cases be, and the same are hereby, advanced and assigned for argument on Monday, October 21st next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

587. Damaelle Howard, Admix &c., Plff in Error, vs. The Illinois Central R.R. Co. et al.
594. N. C. Brooks, Admix &c., Plff in Error, vs. Southern Pacific Company.

The argument of these cases was concluded by Mr. Attorney General Bonaparte, of Counsel for the United States.

256. Watson Stewart vs. The United States et al. Appellant, This cause was argued by Mr. George A. King, of Counsel for the appellant, and Mr. Assistant Attorney General Van Orsdel and Mr. Lorenzo A. Bailey, of Counsel for the appellees.

257. Henry E. Frankenberg Co. vs. The United States. Petitioner, This cause was argued by Mr. F. W. Brooks, of Counsel for the petitioner, and Mr. Assistant Attorney General Sanford, of Counsel for the respondent.

258. Amanda M. S. Whitfield et al, vs. Aetna Life Insurance Co. of Hartford, Conn. Petitioners, This cause was argued by Mr. Frank Hagerman, of Counsel for the petitioners, and Mr. James C. Jones, of Counsel for the respondent.

No. The Chapman & Dewey Land Co. vs. Charles H. Bigelow et al. Plff in Error, The argument of this cause was commenced by Mr. Henry D. Ashley, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 15th. 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. Attorney General Bonaparte it is ordered that John Henry Sherburne, Jr. Esquire, of Brookline, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alford W. Cooley it is ordered that J. Addison Young, Esquire, of New Rochelle, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that Leonard J. Mather, Esquire, of the District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lee M. Friedman it is ordered that Robert Kerr Dickerman, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry W. Taft it is ordered that Garrard Glenn, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin Micou it is ordered that Edgar W. Godbey, Esquire, of Decatur, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Winthrop Astor Chanler, Thomas P. Sherman, as Committee for John Armstrong Chanler, et al. vs. Otto Kelsey, Comptroller of the State of New York. Plffs in Error, } In Error to the Surrogates' Court of the County of New York, State of New York.

This cause came on to be heard on the transcript of the record from the Surrogates' Court of the County of New York, State of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Surrogates' Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

Dissenting:
Mr. Justice Holmes and
Mr. Justice Moody.

272. Thomas M. Patterson, vs. The People of the State of Colorado ex rel. The Attorney General of the State of Colorado. Plff in Error, } In Error to the Supreme Court of the State of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by

the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Justice Holmes.)

Dissenting:
Mr. Justice Harlan and
Mr. Justice Brewer.)

Chicago Burlington & Quincy Railway Company,
vs.
Edgar C. Williams.

On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

No. 143.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel; On consideration whereof, it is now here ordered by the Court that said certificate be, and the same is hereby, dismissed.

(Per Mr. Justice Harlan.)

Dissenting:
Mr. Justice Brewer.)

Amelia C. Travers, Charles E. Travers, John N. Travers et al., Appellants,
vs.
Maria L. Reinhardt, Louis F. Reinhardt, Margaret M. Mitchell et al.

Appeal from the Court of Appeals of the District of Columbia.

No. 76.

This cause came on to be heard on the transcript of the

Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Holmes.
(Mr. Justice McKenna and Mr. Justice Moody did not participate in the decision of this case.)

Ex parte In the matter of Fernando Vasquez Morales and Manuel Calala Dueno, Petitioners. On consideration of the motion for leave to file the petition for the allowance of an appeal from the judgment of the Supreme Court of Porto Rico in the cause of Fernando Vasquez Morales and Manuel Calala Dueno vs. Juan Vincenty Ramos, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and thereupon an appeal is hereby allowed as prayed on the appellants giving bond in the penal sum of $1,000, conditioned according to law, to be approved by the Supreme Court of Porto Rico.

1, Original.

Per Mr. Chief Justice Fuller.

American Tobacco Company, Appellant, vs. Emil Werckmeister et al. On consideration of the motion to advance these causes, It is

287.

188. Emil Wendemeister, vs. Pltff in Error, The American Tobacco Company. by the Court that said motion be, and the same is, hereby, denied.) (Per Mr. Chief Justice Fuller.)

681. Hammond Packing Co., vs. Pltff in Error, The State of Arkansas. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied without prejudice.) (Per Mr. Chief Justice Fuller.)

541. Delmar Jockey Club, vs. Pltff in Error, State of Missouri on the relation of The Attorney General.) It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits. (Per Mr. Chief Justice Fuller.)

651. County of Presidio, Texas, vs. Petitioner, The Rock Young Bond and Stock Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.)

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals

thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

691. Standard Oil Company, Petitioner, vs. Edward Anderson. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On Consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(Per Mr. Chief Justice Fuller.)

609. The Cleveland Cliffs Iron Company, Petitioner vs. The East Itasca Mining Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On Consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

658. School District No. 11, Dakota County, Nebraska, Petitioner, vs. Edward N. Chapman and J. Leroy Buck, Administrators of the Estate of William Bodwicks, deceased. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

659. Bay Prairie Irrigation Company, Petitioner, vs. Richard Wood et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

673. The Deutsche Levante Linie, Claimant of the Steamship "Penedos" &c., Petitioner, vs. J. Samuel Stephenson and Emlen Craft. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

674. The Deutsche Levante Linie Claimant of the Steamship "Penedos" &c., Petitioner, vs. Constantine S. Galanopulo. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

675. The Deutsche Levante Linie, Claimant of the Steamship "Tenedos" &c., Petitioner, vs. The Hills Brothers Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

676. The Deutsche Levante Linie, Claimant of the Steamship "Tenedos" &c., Petitioner, vs. National Board of Marine Underwriters. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

677. The Deutsche Levante Linie, Claimant of the Steamship "Tenedos" &c., Petitioner, vs. William N. Nacri &c. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

684. Catharine J. White, Executrix of Thomas D. White, deceased, Petitioner, vs. The Pennsylvania Railroad Company. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

690. Catharine J. White, Executrix of Thomas F. White, deceased, Petitioner, vs. The Steam Ferry Boat "Philadelphia" &, The Pennsylvania Railroad Co., Claimant. On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

691. Robert T. Neill, Trustee in Bankruptcy of A. F. Harris & Co., Bankrupts, Petitioner, vs. The Union National Bank of Kansas City, Missouri. On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Euclid Park National Bank of Cleveland, Ohio, et al., Petitioners, vs. Union Trust & Deposit Company, Trustee of N. C. Anderson, Bankrupt. — On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

604.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

100.

Ex parte In the matter of The St. Louis Mining & Milling Company of Montana, Petitioner. — On consideration of the motion for leave, to file a petition for a writ of mandamus herein,

17, Original.

It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

101.

Ex parte In the matter of The St. Louis Mining & Milling Company of Montana, Petitioner. — On consideration of the petition of The St. Louis Mining & Milling Company of Montana,

17, Original.

It is now here ordered by the Court that cause be shown by the Circuit Court of the United States for

Company, Limited, before this Court on Monday, April 29th, 1907, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice Fuller.

The United States, Plff in Error, vs. The Torrey Cedar Company. In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, it is therefore, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

The United States, Plff in Error, vs. The Paine Lumber Co. This cause was submitted to the consideration of the Court on the record, and printed arguments of Mr. Solicitor General Hoyt and Mr. Henry C. Lewis, of Counsel for the plaintiff in error, and Mr. Charles Barber, of Counsel for the defendant in error.

667. William N. Ellis, Plff in Error, vs. The United States,
664. Eastern Dredging Co., Plff in Error, vs. Same.
665. Same vs. Same.
666. Same vs. Same.
667. Bay State Dredging Co., Plff in Error, vs. Same.
668 Same vs. Same.
669. Same vs. Same.

On motion of Mr. Solicitor General Hoyt, It is ordered that these cases be, and they are hereby, reassigned for argument on Monday, the 22d instant, after the cases heretofore assigned for that day.

David N. Miller, Trustee &c, et al, Petitioners.
696. vs.
E. O. McCormick et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry W. Taft, Mr. John H. Doolittle, Mr. Edward K. Blane, Mr. Henry Wollman, Mr. George S. Graham, and Mr. F. H. M. Citchen, in support of the same, and Mr. Julien T. Davies, Mr. Abram L. Elkus, and Mr. Garrard Glenn, in opposition thereto.

D. Hunter, Jr. et al., Plffs in Error,
670. vs.
The City of Pittsburgh.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. W. B. Rodgers and Mr. D. T. Watson, in support of

Stone, in opposition thereto.

543. First National Bank of Decatur, Plff in Error, vs. Albert G. Henry. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record, and printed arguments by Mr. Amos E. Goodhue, in support of the same, and Mr. E. W. Godbey, in opposition thereto.

1, Original. The State of New Jersey, Complainant, vs. The State of Delaware. On Bill in Equity.

The State of New Jersey having heretofore filed its bill of complaint against the State of Delaware, praying an injunction and the relief of this Court, and an answer having been duly filed therein by the State of Delaware, and the parties having proceeded with their proofs, taken before Francis Rawle, Esquire, the Master duly appointed by this Court to take the same and report to the Court thereon, and in the meantime the parties complainant and defendant having reached an amicable adjustment of the matters in controversy therein, and there being no longer any reason for the further continuance of said suit, and the consent thereto of Robert N. McCarter, Attorney General of New Jersey, on behalf of the complainant, and of Robert

behalf of the defendant, being endorsed, and no reason appearing to the contrary.

It is thereupon, on this fifteenth day of April nineteen hundred and seven, ordered that said bill of complaint be, and the same is hereby, dismissed without costs to either party and without prejudice.

Per Mr. Chief Justice Fuller.

317. John A. Curtin, Trustee, Appellant, vs. Gertrude F. Tucker. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Lee M. Friedman and Mr. Robert K. Dickerman, in support of the same, and Mr. John A. Sherburne, Jr., in opposition thereto.

270. Jose Paraiso, Plff in Er., vs. The United States. On motion of Mr. A. B. Browne, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, October 21st next with cases of similar character heretofore assigned for that day.

669. The Kansas City Northwestern Railroad Company, Appellant, vs. Frederick Zimmerman, Admr. &c. Mr. Fredric D. McKenney, in behalf of counsel for the appellee, sub-

consideration of the Court a suggestion of diminution of the record and a motion for a writ of certiorari, in this cause.)

642. William Spaugh, Jr., Appellant, vs. N. L. Tillis, Sheriff &c. The motion for a continuance of this cause was submitted by Mr. Charles F. Wilson in support of the same, and Mr. Herbert S. Hadley, in opposition thereto.

962. The Chapman & Dewey Land Co., Plff in Error, vs. Charles H. Bigelow et al. The argument of this cause was continued by Mr. Henry D. Ashley of counsel for the plaintiff in error, and Mr. N. W. Norton, of counsel for the defendants in error, and concluded by Mr. Henry D. Ashley, of counsel for the plaintiff in error, and leave was granted counsel for the plaintiff in error to file an additional brief.

502. William M. Coach, Collector &c., Petitioner, vs. The Philadelphia Trust, Safe Deposit & Ins. Co. et al. Executors

503. William M. Coach, Collector &c., Petitioner, vs. The Philadelphia Trust, Safe Deposit & Ins. Co. et al, Executors

504. William M. Coach, Collector &c., Petitioner, vs.

Monday, April 15th 1907, Continued;

The United States, Petitioner,

5015

vs.

The Marion Trust Company, Trustee &c.,

The argument of these cases was commenced by Mr. J. C. McReynolds of Counsel for the petitioner, and continued by Mr. Morris M. Townley, of Counsel for the respondent in No. 500.

(Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.)

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William L. Ford it is ordered that N. Anton Seitmuller, John Lewis Smith, and Oliver Melzerott, Esquires, of the District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Dewhurst it is ordered that Joseph N. Jones, Esquire, of Orlando, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William S. Paugh, Jr., Appellant,
642. vs.
N. L. Tillo, Sheriff &c. } On consideration of the motion for a continuance of this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied.
(Per Mr. Chief Justice Fuller.)

State of Missouri, Complainant,
14, Original. vs.
State of Kansas, } On motion of Mr. A. B. Browne, in behalf of counsel, leave is hereby granted to file the answer and cross-bill of the defendant in this cause.

William McCoach, Collector &c., Petitioner,
502. vs.
The Philadelphia Trust, Safe Deposit & Ins. Co., et al. Executors &c.

William McCoach, Collector &c., Petitioner,
503. vs.
The Philadelphia Trust, Safe Deposit & Ins. Co., et al. Executors &c.

William McCoach, Collector &c., Petitioner,
504. vs.
George H. Norris et al., Executors &c.

The United States, Petitioner,
505. vs.
The Marion Trust Co., Trustee &c.

The argument of these cases was continued by Mr. Morris M. Townley, of counsel for the respondent in No. 505, and Mr. N. Gordon McCoach, of counsel for the respondents in Nos. 502, 503 and 504, and concluded by Mr. J. C. McReynolds,

359. The Interstate Commerce Commission, vs. Appellant, The Chicago Great Western Railway Co., et al.

The argument of this cause was commenced by Mr. L.A. Shaver, of Counsel for the Appellant, and continued by Mr. Ed. Baxter, of Counsel for the appellees

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, April 17th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

701. Ex parte In the matter of John Johnson, Appellant. Mr. Alford W. Cooley, in behalf of counsel, having filed in open Court the following

certificate, to wit:

"Circuit Court of the United States,
For the Southern District of New York.

I, John A. Shields, Clerk of the Circuit Court of the United States for the Southern District of New York, do hereby certify that in a certain cause pending in said Court entitled In the matter of the petition of John Johnson for writs of habeas corpus and certiorari, wherein the said John Johnson was petitioner, an order was entered on the 16th day

and that on the 16th day of August, A.D. 1906, said John Johnson prayed an appeal to the Supreme Court of the United States, which was allowed.)

In testimony whereof I hereunto subscribe my name and affix the seal of said Circuit Court, at New York, this 29th day of March, A.D. 1906.

(Seal)

John A. Shields, Clerk.

And moved the Court to docket and dismiss this cause pursuant to the 6th rule; and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged, and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of New York be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.)

Per Mr. Chief Justice Fuller.

352. The Interstate Commerce Commission, Appellant, vs. The Chicago Great Western Railway Co., et al.

The argument of this cause was continued by Mr. Ed. Baxter, Mr. C. A. Severance, Mr. Charles A. Clark, and Mr. T. J. Ransom, of counsel for the appellees, and con-

bank, and leave was granted Counsel to file additional briefs.

331. Adams Express Company, Plff in Error,
vs.
The Commonwealth of Kentucky.

297. Adams Express Company, Plff in Error,
vs.
The Commonwealth of Kentucky.

313. American Express Co. of New York, Plff in Error,
vs.
The Commonwealth of Kentucky.

The defendant in error.

The argument of these cases was commenced by Mr. Edmund F. Trabue, of counsel for American Express Co. and continued by Mr. N. B. Hays, of counsel for

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened;

On motion first made to the Court in this behalf by Mr. Frank W. Hackett it is ordered that Flaudie D. S. Bethune, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Consaul it is ordered that Ida M. Moyers of the District of Columbia be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this beha
Mr. Holmes Conrad it is ordered that Philip
Parker, Esquire, of Brookline, State of Massa
setts, and Augustus N. Hand, Esquire, of N
York City, be admitted to practice as attorney
Counsellors of this Court and they were swo
accordingly.

On motion first made to the Court in this beha
Mr. W. L. Marvin, it is ordered that John A. C
Esquire, of Cleveland, State of Ohio, be admitt
practice as an attorney and counsellor of
Court and he was sworn accordingly.

331. Adams Express Company, Plff in Error,
vs.
The Commonwealth of Kentucky.

332. Adams Express Company, Plff in Error,
vs.
The Commonwealth of Kentucky.

333. American Express Co. of New York, Plff in Error,
vs.
The Commonwealth of Kentucky.

The argument o
cases was conti
by Mr. N. B. M
of Counsel for th
fendant in erro
Concluded by M
Lawrence Maxw
of Counsel for Ada
Express Company
leave was gran
counsel for the plaintiffs in error to file additio
briefs within five days.

461. The Goat & Sheepskin Import Co., Petitioner,
vs.
The United States.

This cause wa
gued by Mr. J. S
Tompkins, of Co

Mr. Assistant Attorney General Sanford, of Counsel for the respondent, and leave was granted Counsel for the petitioner to file a brief in reply within three days.

763 The United States, Appellant, vs. The William Cramp & Sons Ship and Engine Building Co., The William Cramp & Sons Ship and Engine Building Co., Appellant, vs. The United States. 764.

The argument of these cases was commenced by Mr. Assistant Attorney General, Van Orsdel, of Counsel for the United States.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, April 19th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. A. Van Orsdel it is ordered that Meredith P. Cumplin, Esquire, of Sheridan, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. E. L. Leckie it is ordered that Porter B. Coolidge, Esquire, of Lander, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

181. American Sugar Refining Co., of New York, vs. Appellant, The United States.

Ordered by the Court that this cause do, and the same is hereby, continued until the next term, per stipulation of counsel.

163. The United States, vs. Appellant, The William Cramp & Sons Ship and Engine Building Co., The William Cramp & Sons Ship and Engine Building Co, vs. Appellant, The United States.

The argument of these cases was continued by Mr. Assistant Attorney General Van Orsdel, of Counsel for The United States, Mr. John C. Fay for The William Cramp & Sons Ship and Engine Building Co., and Mr. Attorney General Bonaparte, of counsel for The United States, and concluded by Mr. Holmes Conrad, of counsel for The William Cramp & Sons Ship and Engine Building Co.

169. Higinio Romero, vs. Appellant, Robert H. Todd.

This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. F. L. Cornwell, of counsel for the appellant, and Mr. N. B. K. Pettingill, of counsel for the appellee.

272. The State of Wyoming ex rel. The Wyoming Agricultural College et al.; vs. Plffs in Error, William C. Irvine, Treasurer &c. in error.

The argument of this cause was commenced by Mr. Porter B. Coolidge, of Counsel for the Plaintiffs.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. T. Burke it is ordered that William E. Mullen, Esquire, of Cheyenne, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Echols it is ordered that Isidore S. Chirurg, Esquire, of Brooklyn, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Crammond Kennedy it is ordered that Theodore P. Ion, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that Charles J. Traxler, Esquire, of Minneapolis, State of Minnesota, and Henry C. Charpiot, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Calhoun it is ordered that Adrian Siger, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Wilson it is ordered that Albert V. Taylor, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

82. Home Savings Bank, Plff in Error, vs. The City of Des Moines and The City Council of said City as a Board of Review. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Moody.

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Harlan, and
Mr. Justice Peckham.

83. Peoples Savings Bank, Plff in Error, vs. The City of Des Moines and The City Council of said City as a Board of Review. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of

Iowa, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court, for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Moody.

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Harlan, and
Mr. Justice Peckham.

49. Des Moines Savings Bank, Plff in Error, vs. The City of Des Moines and The City Council of said City as a Board of Review. } In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Moody.

Dissenting: Mr. Chief Justice Fuller, Mr. Justice Harlan, and Mr. Justice Peckham.

107. Thomas Milner Harrison, Plff in Error, vs. J. A. Magoon, F. B. McStocker, Dorothea Emerson et al. } In Error to the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by Counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Harlan

258. Amanda M. S. Whitfield and The State of Missouri at the relation of Herbert S. Hadley, Attorney General, Petitioners. vs. Aetna Life Insurance Company of Hartford, Connecticut, } On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the

further proceedings in conformity with the opinion of this Court and consistent with law.

Per Mr. Justice Harlan.

The Chief Justice announced that the call of the docket will be suspended for the term on Friday the 11th instant, that the Court will take a recess from Monday the 14th instant to Monday May 14th, and adjourn for the term on Monday May 21st.

1893. Frederick Seymour Barrington, Plff in Error, vs. The State of Missouri. } In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

1893. First National Bank of Decatur, Plff in Error, vs. Albert G. Newey. } It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this

the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

609. The Kansas City Northwestern Railroad Company, Appellant, vs. Frederick Zimmerman, Admr. } On consideration of the suggestion of diminution of the record and motion for a writ of certiorari herein, It is now here ordered by the Court by the Court that said motion be, and the same is hereby, granted without prejudice.

Per Mr. Chief Justice Fuller.

610. D. Hunter, Jr., et al. Plffs in Error, vs. The City of Pittsburgh. } It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

It is further ordered that this cause be, and the same is hereby, advanced and assigned for argument on Monday, October 1st next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

317. John A. Conlin, Trustee, Appellant, vs. Gertrude F. Tucker. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

herein to the United States Circuit Court of Appeals for the First Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

696. David A. Miller, Trustee &c., et al, Petitioners. vs. E. C. McCormick et al.) On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

502. William McCoach, Collector of Internal Revenue for the First Collection District in the State of Pennsylvania, vs. Petitioner, The Philadelphia Trust, Safe Deposit & Insurance Company and John B. Morton, Executors of Margaret R. Holbrook, deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the

for the Third Circuit, and was argued by Counsel, On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with Costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States, for the Eastern District of Pennsylvania.

Per Mr. Chief Justice Fuller.

William McCoach, Collector of Internal Revenue for the First Collection District in the State of Pennsylvania, Petitioner, vs. The Philadelphia Trust, Safe Deposit & Insurance Company and Henry Carver, Executors under the will of Mary A. Allison, deceased.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

203.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by Counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with Costs; and that this cause

Court of the United States for the Eastern District of Pennsylvania.)

Per Mr. Chief Justice Fuller.

William McCoach, Collector of Internal Revenue for the First Collection District in the State of Pennsylvania, Petitioner,
vs.
George W. Norris, W. Felix Norris and Annetta E. Norris, Executors of the last will and testament of William F. Norris, deceased.)

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.)

504.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Pennsylvania.

Per Mr. Chief Justice Fuller.

505. The United States, Petitioner, vs. The Marion Trust Company, Trustee of the estate of Mason J. Osgood, deceased. } Writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof the Court, being equally divided in opinion, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed; and that this cause be, and the same is hereby remanded to the District Court of the United States for the District of Indiana.

Per Mr. Chief Justice Fuller.

11, Original. State of Missouri, Complainant, vs. State of Kansas. } On motion of Mr. N. T. Gentry, of counsel for the complainant, leave is hereby granted to file the answer to the cross-bill and the replication to the answer of the defendant.

412. White Star Mining Co., Plff in Error, vs. Nels O. Hultberg et al.,
647. Caes H. Johnson, Plff in Error, vs. White Star Mining Co., et al.;
648. Peter K. Anderson, Plff in Error, vs. White Star Mining Co., et al.

The motions to dismiss in these cases were sub-

guments by Mr. Frederick S. Winston, Mr. Silas A. Strawn, Mr. John Barton Payne, and Mr. Harris J. Williams, in support of the same, and Mr. Charles A. Hamill and Mr. Carl R. Chindblom, in opposition thereto.

705. Webster Coal & Coke Company vs. A. J. Cassatt et al.,
706. Pennsylvania Coal & Coke Co. vs. A. J. Cassatt et al.,

The petition for writs of certiorari herein was submitted to the consideration of the Court by Mr. John W. Griggs, in support of the same, and Mr. John G. Johnson, in opposition thereto.

564. L. Lechinger et al., vs. Hyffs in Error, Merchants National Bank of Houston et al.,

Mr. Hannis Taylor, of Counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause.

708. The New York Central & Hudson River Railroad Co. vs. Catherine McGrath,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. H. McGowan, in support of the same, and Mr. Holmes Conrad, in opposition thereto.

Ex parte In the matter of The First National Bank of Chicago et al., Petitioners.

Wm. Charles F. Wilson, in behalf of Counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

679. William Beattie & Son, Petitioners, vs. United Shirt & Collar Co., et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. Frank J. Black and Mr. George A. Mosher, in support of the same, and leave was granted Counsel for the respondents to file a brief in opposition thereto on or before Thursday next.

515. New Orleans Great Northern Railroad Company, Appellant, vs. The Mississippi Railroad Commission et al.

Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause having been called to the attention of the Court by Mr. Marcellus Green, of Counsel for the appellant, and he having moved the Court to reverse the decree of the Circuit Court in this cause in pursuance of a confession of error and Consent of Counsel for the respective parties, Therefore, in pur-

counsel. It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed at the costs of the appellant; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity to law.

Per Mr. Chief Justice Fuller.

434. Revere Water Company, Appellant, vs. Error, The Inhabitants of the Town of Winthrop. } The motions to dismiss or affirm in this cause, were submitted to the consideration of the Court on the record and printed arguments by Mr. L. L. Scaife, in support of the same, and Mr. A. E. Pillsbury, in opposition thereto.

638. Maggie Myers, Appellant, vs. Andrew P. Trymore, late Sheriff of Clay County, Missouri, and William N. Thomason, his successor in Office. } Appeal from the District Court of the United States for the Western District of Missouri.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

The State of Wyoming ex rel. The Wyoming Agricultural College et al., vs. Plffs in Error, William C. Irvine, Treasurer &c. } 172.

The argument of this cause was continued by Mr. Porter B. Coolidge of counsel for the plaintiffs in error, and concluded by Mr. Timothy T. Burke, of counsel for the defendant in error.

Illinois Central Railroad Company et al., vs. Appellants, Interstate Commerce Commission. } 585.

Southern Railway Co. et al., vs. Appellants, A. A. Tift et al. } 601.

The argument of these cases was commenced by Mr. Ed. Baxter, of counsel for the appellants, and continued by Mr. L. A. Shaver and Mr. J. M. Miller, of counsel for the appellee in No. 588.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, April 23d, 1907.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened;

On motion first made to the Court in this behalf by Mr. Marcellus Green it is ordered that Lasing Rosenthal, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James B. Scott it is ordered that Paran F. Rice, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Blodgett it is ordered that H. Orison Underwood, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte In the matter of The First National Bank of Chicago and H. W. Rogers and James E. Rogers, as H. W. Rogers & Brother, (Original.) Petitioners.

On consideration of the motion for leave to file a petition for a writ of, mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of The First National Bank of Chicago and H. W. Rogers and James E. Rogers, as H. W. Rogers & Brother, (Original.) Petitioners.

On consideration of the petition for a writ of mandamus herein, It is now here ordered by the Court that cause be shown by the United States Circuit Court of Appeals for the Seventh Circuit and the Honorable Peter S. Grosscup, Francis E. Baker, and William A. Seaman, the Judges thereof, and the District Court of the United States for the Northern District of Illinois, and the Honorable Solomon A. Bethea, as a Judge thereof, before this Court on Monday, May

why the prayer of said petition should not be granted, and the case will be taken as submitted on that day on the return to this rule and printed arguments of counsel.

(Per Mr. Chief Justice Fuller.)

301. The First National Bank of Chicago et al. vs. Plffs in Error, The Chicago Title & Trust Co., Trustee, et al.

It is ordered by the Court that the motion to dismiss in this cause be submitted on Monday, May 13th next in connection with the return to the rule to show cause in Case No. 19, Original.

(Per Mr. Chief Justice Fuller.)

14, Original. State of Missouri, Complainant, vs. State of Kansas.

Mr. N. T. Gentry, of Counsel for the Complainant, submitted to the consideration of the Court a motion for the appointment of commissioners to take testimony in this cause.

285. Penn Refining Co., Limited, vs. Plff in Error, Western New York & Pennsylvania Railroad Co., et al.

It is ordered by the Court that this cause be and the same is hereby continued until the next term

(Per stipulation of Counsel.)

582.

588.

601.

642

567.

664

665.

Vandalia Railroad Co.
vs. Tiff in Error,
The State of Indiana ex rel.
The City of South Bend.)

It is ordered by the Court that this cause, be, and the same is, hereby, continued until the next term

(on stipulation of counsel.)

The argument of these cases, was continued by Mr. J. M. Miller and Mr. Marshall Green of counsel for the appellees in No. 533; and

Illinois Central Railroad Company et al., Appellants,
vs.
Interstate Commerce Commission.)
Southern Railway Co., et al., Appellants,
vs.
N. N. Tift et al.)

Mr. William N. Trimble and Mr. William Hep. burn Russell, of counsel for the appellees in No. 91, and concluded by Mr. Ed. Baxter, of counsel for the appellants.

William Sprague, Jr., Appellant,
vs.
H. L. Tillis, Sheriff &c.)

This cause was argued by Mr. N. T. Gentry, of counsel for the appellee, and submitted on a printed argument by Mr. Charles F. Wilson, of counsel for the appellant.

William N. Ellis, Plff in Error, vs. The United States,
Western Dredging Co., Plff in Error, vs. Same
Same, vs. Same

Tuesday, April 23d, 1907, Continued.

667. Bay State Dredging Co., Plff in Error, vs. The United States,
668. Same,) vs. Same,)
669. Same,) vs. Same.)

The argument of these cases was commenced by Mr. E. E. Blodgett, of counsel for the Eastern Dredging Co., and continued by Mr. Solicitor General Hoyt, of counsel for the defendant in error.)

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. N. T. Gentry it is ordered that Isaac B. Kimbrell, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

190. Isaac Berkson and Jannette Berkson, Appellants, v. Samuel H. Marcuse, Retamentary Executor of Simon Berkson,) Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.)

order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

193. George Deslions et al., Petitioners, vs. La Compagnie Generale Transatlantique, Owner &c. It is ordered by the Court that this cause be, and the same is hereby, continued, until the next term per stipulation of counsel.

567. William H. Ellis, Plff in Error, vs. The United States,
664. Eastern Dredging Co., Plff in Error, vs. Same,
665. Same, vs. Same,
666. Same, vs. Same,
667. Bay State Dredging Co., Plff in Error, vs. Same,
668. Same, vs. Same,
669. Same, vs. Same.

The argument of these cases was concluded by Mr. H. Orison Underwood, of counsel for the Bay State Dredging Co., and case No. 567 was submitted on a printed argument by Mr. D. T. Watson, of counsel for the plaintiff in error.

175. The Mayor and Aldermen of the City of Vicksburg, Appellants, vs. Vicksburg Water Works Co., Appellee.

This cause was argued by Mr. Hannis Taylor, of counsel for the appellants, and Mr. J. Hirsh, of counsel for the appellee.

104. Henry A. M. Smith, Receiver &c., Plaintiff in Error, vs. R. H. Jennings, Treasurer &c., Defendant in Error.

The argument of this cause was commenced by Mr. D. H. Bacot, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, April 25th, 1907.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.
John N. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. H. Gilfry it is ordered that Frederick V. Holman, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. S. Bacon it is ordered that Samuel Owen Edmonds, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Herring it is ordered that Elias S. C.

Esquire, of Prescott, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stuart McNamara it is ordered that Herman J. Westwood, Esquire, of Fredonia, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Douglas it is ordered that, Edgar B. Sherrill, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence Arnold Tanzer it is ordered that Henry Brill, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

283. The United States, Appellant, vs. Lewis E. Brown
284. Lewis E. Brown, Appellant, vs. The United States.

These cases were submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Van Orsdel, of counsel for the United States, and Mr. Lorenzo A.

of counsel for Brown.)

1024. Henry A. M. Smith, Receiver &c., Plff in Error,
vs.
R. A. Jennings, Treasurer &c.

The argument
this cause w
Continued
F. H. Raes

Counsel for the plaintiff in error, and Mr. C
A. Douglas, of counsel for the defendant in e
and concluded by Mr. T. W. Bacot, of couns
the plaintiff in error.

1077. The United States, Appellant,
vs.
Ammen Farenholt.

This cause was arg
by Mr. John D. Tho
son, of counsel for
appellant, and G
George A. King, of counsel for the appellee.

1078, 1079. Mayer S. Bernheimer et al, surviving Executors &c., Plffs in Error,
vs.
Theodore R. Converse, Receiver &c.
Max Drey et al, Executors &c., Plffs in Error,
vs.
Theodore R. Converse, Receiver &c.

The argument
these cases wa
Commenced
Mr. Lawrence
Arnold Tanz
of counsel for
plaintiffs in er
and continue

Mr. William G. Wilson, of counsel for the defend
in Error.

Proclamation being made the Court is adjourned until
tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Rufus W. Peckham, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes,
William R. Day,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William G. Wilson it is ordered that Charles M. Thacker, Esquire, of Mangum, Territory of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Starr it is ordered that Louis Lowenstein, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Herrick it is ordered that Brooks B.

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Wilkerson it is ordered that Joseph H. Moses, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Mayer S. Bernheimer et al., Surviving Executors &c., vs. Plffs in Error,
278. Theodore R. Conversse, Receiver &c.

Max Drey et al., Executors &c., vs. Plffs in Error,
279. Theodore R. Conversse, Receiver &c.

Arnold Tinzer, of counsel for the plaintiffs in error.

The argument of these cases was continued by Mr. William G. Wilson, of counsel for the defendant in error, and concluded by Mr. Lawrence.

Copper Queen Consolidated Mining Company, vs. Appellant,
280. The Territorial Board of Equalization of the Territory of Arizona, appellee.

This cause was argued by Mr. William Herring, of counsel for the appellant, and Mr. E. S. Clark and Mr. H. B. Prentiss, of counsel for the

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 29th, 1907.

Pursuant to adjournment, the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt it is ordered that A. L. Cole, Esquire, of du Bois, and John Houston Merrick, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practise as attorneys and counsellors of this Court and they were severally accordingly.

On motion first made to the Court in this behalf by Mr. Andrew Fiske, it is ordered that Charles A. Fiske, Esquire, of Boston, State of Massachusetts, be admit-

counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Earl, it is ordered that John B. Haddock, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Humphries, it is ordered that Louis Sheib, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. J. Faulkner, it is ordered that James S. McClure, Esquire, of Parkersburg, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Alexander C. Shaw, of Washington, District of Columbia, be

counsellor of this Court and the case argued accordingly.

495 Robert M. Green, Plaintiff in Error,
vs.
Chicago, Burlington & Quincy Railway Company.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Moody.

15 The Atlantic Coast Line Railway Company, Plaintiff in Error,
vs.
The North Carolina Corporation Commission

In Error to the Supreme Court of the State of North Carolina

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina and

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice White

Solon L. Frank & Jennie Frank, doing business under the name of S. L. & J. Frank, Plaintiffs in Error, vs. Joseph Voeckonomer, Jr., as trustee in bankruptcy of the estate of Jacob Vogt, a bankrupt and Jacob Vogt. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel,

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller

642. William Spaugh, Jr., Appellant, vs. H. L. Tilly, Sheriff & Jailor of Reynolds County, Missouri. Appeal from the District Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the final order of the said District Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller

642 White Star Mining Company, Plaintiff in Error, vs. Nels. O. Hultberg et al. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and on a motion to dismiss, which were argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the writ of Error in this cause, be,

the want of jurisdiction.

per Mr. Chief Justice Fuller.

647. Claes W. Johnson, Plaintiff in Error, vs. White Star Mining Company of Illinois et al. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on a motion to dismiss which was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the writ of Error, in this cause, be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

648. Peter A. Anderson, Plaintiff in Error. vs. White Star Mining Company of Illinois et al. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and on a motion to dismiss which was argued by counsel.

ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

In Chancery. State of Missouri, Complainant, vs. State of Kansas. On consideration of the motion by counsel for the appointment of commissioners to take the testimony in this cause, and the consent of counsel for the defendant thereto,

It is now here ordered by the Court that Clad Hamilton and Solon J. Gilmore, Esquires, be and they are hereby, appointed as such commissioners.

per Mr. Chief Justice Fuller.

454. Revere Water Company, Plaintiff in Error, vs. The Inhabitants of the Town of Winthrop. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause, be, and the same is hereby postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

564. L. Lochenger et al., Plaintiffs in Error, vs. Merchants National Bank of Houston et al. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

679. William Beattie & Walter J. Beattie, doing business under the firm name & style of William Beattie & Son, Petitioners, vs. United Shirt & Collar Company et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

705 Webster Coal & Coke Company, Petitioner
vs.
A. J. Cassatt et al

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

706. Pennsylvania Coal & Coke Company, Petitioners,
vs.
A. J. Cassatt et al,

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

The New York Central & Hudson River Railroad Company, Petitioner, vs. Catherine McGrath. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

708.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Mr. Solicitor General Hoyt presented resolutions of the Bar of the District of Columbia in memory of the late J. Hubley Ashton, Esquire, and they were ordered to be placed on the files of the Court.

Thomas B. Clement, Petitioner, vs. The United States. — The petition for a writ of certiorari herein was submitted to the consideration of the

655.

Court on printed arguments by Mr. George N. Baxter in support of the same, and by Mr. Solicitor General Hoyt in opposition thereto.

508 John T. Shoener, vs. Plaintiff in Error The Commonwealth of Pennsylvania. The motions to dismiss the writ of error herein or to advance the cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Guy E. Farquhar and Mr Charles E. Burger in support of the same and by Mr. Charles A. Douglas in opposition thereto.

Ex parte In the matter of George H. Crawford, Petitioner. Mr. Henry M. Hoyt in behalf of Comm'r of Pet'r submitted to the consideration of the Court a motion for leave to file a petition for a writ of Habeas Corpus herein.

365. The Southern Pine Lumber Company et al., vs. Plaintiffs in Error & Appellants. W. B. Ward et al. Mr. Henry T. Woodard of Counsel for the plaintiffs in Error and Appellants, suggested the death of G. M. D. Grigsby, one of the defendants in error and appellees in this cause, and moved the Court for an order, under the 15th rule, to make the proper representatives

Whereupon, It is now here ordered by the Court that unless the proper representatives of the said G. M. D. Grigsby shall voluntarily become parties within the first ten days of the ensuing term of this Court, the plaintiffs in error and appellants shall be entitled to open the record, and on hearing have the decree reversed, as to the said G. M. D. Grigsby, if it be erroneous: Provided, however, that a copy of this order shall be printed in some newspaper of general circulation within the Territory of Oklahoma for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

per Mr Chief-Justice Fuller.

719.

17 Original

Ex parte In the Matter of Charles Lightcaps, Petitioner

Mr John B. Chaddock, of Counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein.

Armour & Company, vs. Agnes Skene.

695. Petitioner,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr.

Mr. Charles H. Fiske, Mr. Andrew Fiske and Mr. Charles Fiske, Jr., in appellate proceedings.

Samuel B Hartman, Petitioner, vs. John D. Park & Sons Company.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Frank J. Reed in support of the same, and upon this motion it is ordered that the Mandate of the lower Court be stayed until the further order of this Court herein.

Ex parte In the matter of the St. Louis Mining and Milling Company of Montana, Petitioner.

This cause was submitted to the consideration of the Court on printed arguments by Mr. Jackson H. Ralston of counsel for the petitioner, and by Mr. A. B. Browne, of counsel for the respondent, with leave to counsel for respondent to file a printed brief on or before Thursday next, and to counsel for petitioner to file a reply thereto within ten days thereafter.

697. Alaska Treadwell Gold Mining Company, Petitioner, vs. Z. R. Cheney, Administrator &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles J. Faulkner in support of the same and by Mr. J. J. Darlington in opposition thereto.

698. James L. Bradford et al., Petitioners, vs. The United States. The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Edgar H. Farrar and Mr. Frank L. Richardson in support of the same with leave to counsel for the respondent to file a brief in opposition thereto within ten days.

713. Expanded Metal Company, et al., Petitioners, vs. Eugene S. Bradford et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Ernest Howard Hunter in support of the same and by Mr. E. Hayward Fairbanks in opposition thereto.

711. Jack B. Henderson, Petitioner, vs. James M. Howe et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. V. B. Archer in support of the same and by Mr. James J. McCluer and by Mr. John G. McCluer in opposition thereto.

685. Frederick Herbert Ramsden, Petitioner, vs. Henry M. Knowles. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William Read Bigelow in support of the same and by Mr. Felix Rackemann in opposition thereto.

361 R. M. Hemmingsen et al., Appellants, vs. United States Fidelity and Guaranty Company of Baltimore, et al. The Motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Harold Preston in support of the same and by Mr. W. W. Wilshire in opposition thereto.

Proclamation being made, the Court is adjourned until Monday, May 13th Next.

Monday, May 13th, 1907.

Pursuant to adjournment the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr Solicitor General it is ordered that J. M. Jamison, Esquire, of Phoenix, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Murphy J. Foster it is ordered that Paul J. Christeau, Jr., Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was

On motion first made to the Court in this behalf by Mr. John M. Coit, it is ordered that David Charles Collier, Esquire, of San Diego, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that George A. Huddy, Junior, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Henry A. M. Smith as Receiver of the late Corporation named and styled "The President Directors & Company of the State Bank" &c.,
vs.
R. A. Jennings, as Treasurer of the State of South Carolina

In Error to the Supreme Court of the State of South Carolina

104 Plaintiff in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and

whereof. It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Moody.

196 William H. Kessler, vs. George J. Elston. On a certificate from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first and second questions certified must be answered in the affirmative and the third and fourth questions in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Moody.

273 The State of Wyoming ex relatione The Wyoming Agricultural College, and Matt. Barlaud et al., Trustees, Plaintiffs in Error, vs. William C. Irvine, as Treasurer of the State of Wyoming. In Error to the Supreme Court of the State of Wyoming.

transcript of the record from the Supreme Court of the State of Wyoming, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Moody

R. G. Stowe, R. M. Finley and Nannie E. Finley, Plaintiffs in Error, vs. Southern Illinois and Missouri Bridge Company. In Error to the Supreme Court of the State of Missouri

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Day

The State of Georgia, Complainant
vs.
The Tennessee Copper Company and The Ducktown Sulphur, Copper & Iron Company, Limited.

In Equity.

This cause came on to be heard on the pleadings and proofs and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that an injunction be, and the same is hereby, awarded as prayed. It is further ordered that the complainant may submit a form of decree on the coming in of the Court in October next.

per Mr. Justice Holmes.

(Mr. Justice Harlan concurs in the result.)

283 The United States, Appellant
vs.
Lewis E. Brown

Appeals from the Court of Claims.

Lewis E. Brown, Appellant
vs.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims on appeal and cross-appeal, and

whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause, be, and the same is hereby, affirmed.

per Mr. Justice Holmes.

(Mr. Justice Moody did not sit in this case or take any part in its decision.)

William H. Ellis, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the District of Massachusetts.

507

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby affirmed.

per Mr. Justice Holmes.

(Mr. Justice Moody took no part in the decision of this case.)

664 Eastern Dredging Company vs. The United States. Plaintiff in Error, In Error to the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to set aside the verdict of the jury and quash the information.

per Mr Justice Holmes.

Dissenting:
Mr Justice Moody
Mr Justice Harlan and
Mr Justice Day.

665 Eastern Dredging Company vs. The United States. Plaintiff in Error, In Error to the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On

ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to set aside the verdict of the jury and quash the information.

per Mr. Justice Holmes

Dissenting:
Mr. Justice Moody
Mr. Justice Harlan and
Mr. Justice Day.

666

Eastern Dredging Company, Plaintiff in Error, vs. The United States

In Error to the District Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to set aside the verdict of the jury and quash the information.

per Mr. Justice Holmes,

Dissenting:
Mr. Justice Moody
Mr. Justice Harlan and
Mr. Justice Day.

667 (Bay State Dredging Company, Plaintiff in Error, vs. The United States.) In Error to the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to set aside the verdict of the jury and quash the information.

per Mr. Justice Holmes.

Dissenting:
Mr. Justice Moody
Mr. Justice Harlan and
Mr. Justice Day.

668 (Bay State Dredging Company, Plaintiff in Error, vs. The United States.) In Error to the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court

judgment of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court, with directions to set aside the verdict of the jury and quash the information.

per Mr. Justice Holmes.

Dissenting:
Mr Justice Moody
Mr Justice Harlan, Jr.
Mr Justice Day.

Bay State Dredging Company, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the District of Massachusetts.

664.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to set aside the verdict of the jury and quash the information.

per Mr Justice Holmes.

Dissenting: Mr. Justice Moody, Mr. Justice Harlan, Jr., Mr. Justice Day.

Frederick J. Lowrey, George Carter and William O. Smith, Trustees, Appellants, vs. The Territory of Hawaii. Appeal from the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby reversed with costs, and that the cause be, and the same is hereby, remanded to the said Supreme Court with direction to proceed in conformity with the opinion of this Court.

per Mr. Justice McKenna.

(Mr. Justice Brewer took no part in the decision of this case.)

205 Henry E. Huntington Company, Petitioner, vs. The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and

that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the ~~said~~ Circuit Court of the United States for the Southern District of New York.

per Mr. Justice McKenna.

(Mr. Justice Moody took no part in the decision of this case.)

244. The United States, Appellant, vs. Ammen Farnholt. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed

per Mr. Justice McKenna.

(Mr. Justice Moody took no part in the decision of this case).

256. Watson Stewart, Appellant, vs. The United States and The Osage Nation of Indians. Appeal from the Court of Claims.

transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause be, and the same is hereby, affirmed.

per Mr. Justice Peckham.

(Mr justice Moody took no part in the decision of this cause.)

261. The Goat Fly Sheepskin Import Company, Petitioner, vs. The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals and the decree of the Circuit Court of the United States for the Southern District of New York, in this cause, be and the same are hereby, reversed; and that this cause be and the same is hereby, remanded to the said Circuit Court with directions to take such further proceedings as may be necessary, not inconsistent with the opinion of the Court.

Mr. Justice Moody took no part in the decision of this case.

Charles E. Yates, David E. Thompson & Louisa Hamer, Administratrix of Elvi P. Hamer, deceased, etal. vs. Plaintiffs in Error, Jones National Bank

In Error to the Supreme Court of the State of Nebraska

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This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause as to the plaintiffs in error, Charles H. Mosher and Richard C. Calvert be, and the same is hereby, dismissed for the want of prosecution. It is further ordered and adjudged, that the judgment of the said Supreme Court as to the other plaintiffs in error be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings, not inconsistent with the opinion of this Court.

per Mr. Justice White

Charles E. Yates Louisa Hamer, Administratrix of Elis P. Hamer, deceased Charles W. Mosher et al., vs. Plaintiffs in Error
Utica Bank.

In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause as to the plaintiffs in error Charles W. Mosher and Richard C. Allen be, and the same is hereby, dismissed for the want of prosecution. It is further ordered and adjudged that the judgment of the said Supreme Court as to the other plaintiffs in error be and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice White.

Charles E. Yates Louisa Hamer, Administratrix of Elis P. Hamer, deceased, Charles W. Mosher et al., Plaintiffs in Error, vs. Thomas Bailey. In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause as to the plaintiffs in error Charles W. Mosher and Richard C. Talbot be and the same is hereby dismissed for the want of prosecution. It is further ordered and adjudged that the judgment of the said Supreme Court as to the other plaintiffs in error, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice White

Charles E. Yates, David E. Thompson, Louisa Hamer, Administratrix of Elis P. Hamer, deceased, et al., Plaintiffs in Error, vs. Bank of Shickley

In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause as to the plaintiffs in error Charles W. Mosher and Richard C. Outcalt be, and the same is hereby, dismissed for the want of prosecution. It is further ordered and adjudged that the judgment of the said Supreme Court as to the other plaintiffs in error be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice White.

The Cincinnati, Hamilton & Dayton Railway Company et al, vs Appellants, The Interstate Commerce Commission et al, Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice White

The State of Kansas vs. Complainant, The State of Colorado et al, Defendants, The United States, Intervenor. In Equity.

This cause came on to be heard on the pleadings and proofs and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the petition of the intervenor be, and the same is hereby, dismissed without prejudice to the rights of the United States to take such action as it shall deem necessary to preserve or improve the Navi-

ordered, adjudged and decreed by the Court that the bill of complaint be, and the same is hereby, dismissed as against all the defendants, without prejudice to the right of the complainant to institute new proceedings whenever it shall appear that through a material increase in the depletion of the waters of the Arkansas River by Colorado, its corporations or citizens, the substantial interests of Kansas are being injured to the extent of destroying the Equitable apportionment of benefits between the two States resulting from the flow of the river. It is further ordered that each party pay its own costs.

per Mr. Justice Brewer.

331.

(Mr. Justice White & Mr. Justice McKenna concur in the result.)

(Mr. Justice Moody took no part in the decision of this case.)

2,63 The United States, Appellant
vs.
The William Cramp & Sons Ship & Engine Building Company

2,64 The William Cramp & Sons Ship & Engine Building Company, Appellant
vs.
The United States.

Appeals from the Court of Claims.

the record from the Court of Claims, on appeal
and cross appeal And was argued by Counsel.
On consideration whereof, It is now here or
dered and adjudged by this Court that the
judgment of the said Court of Claims, in
this cause, be, and the same is hereby, reversed;
and that this cause be, and the same is
hereby, remanded to the said Court of Claims
with directions to enter a judgment on the
findings for the defendant.

per Mr. Justice Brewer

(Mr. Justice McKenna and Mr. Justice Moody
took no part in the decision of this case)

Adams Express Company, Plaintiffs in Error
vs. In Error to the Court
The Commonwealth of Kentucky of Appeals of the State
of Kentucky

This cause came on to be heard on the tran-
script of the record from the Court of Appeals
of the State of Kentucky, and was argued by
Counsel. On consideration whereof, It is now
here ordered and adjudged by this Court
that the judgment of the said Court of Ap-
peals in this cause be, and the same is here-
by, reversed with costs; and that this cause
be and the same is hereby, remanded to the
said Court of Appeals for further proceedings
not inconsistent with the opinion of this Court.

per Mr. Justice Brewer.

332 Adams Express Company, Plaintiff in Error, vs. The Commonwealth of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause, be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Brewer.

Dissenting:
Mr. Justice Harlan.

583 American Express Company of New York, Plaintiff in Error, vs. The Commonwealth of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by

Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Brewer.

Dissenting:
Mr. Justice Harlan

362 The Chapman & Dewey Land Company, Plaintiff in Error, vs. Charles H. Bigelow, W. P. Bigelow, L. P. Walker and S. A. Hartshorn.

In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Justice Fuller.

Albert K. Hiscock, Trustee in bankruptcy of Jacob M. Mertens et al., Bankrupts, Appellant, vs. The Varick Bank of New York. Appeal from the United States Circuit Court of Appeals for the Second Circuit.

244.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of New York.

per Mr. Chief Justice Fuller.

Ex parte In the matter of George H. Crawford, Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Ex parte In the matter of Charles Ughbanks, Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

361. R. M. Hennigsen et al., vs. Appellants, United States Fidelity & Guaranty Company of Baltimore, Md., et al. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause, be, and the same is hereby postponed until the hearing of the case on the merits.

per Mr. Chief Justice Fuller.

508. John T. Shoener, vs. Plaintiff in Error, The Commonwealth of Pennsylvania. On consideration of the motion to dismiss herein, and of the arguments of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

John T. Shomer,
5?? vs. Plaintiff in Error,
The Commonwealth of Pennsylvania. } On consideration of the motion to advance this cause,

It is now here ordered by the Court that said Motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 21st next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Expanded Metal Company et al.,
713 vs. Petitioners
Enquee S. Bradford } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein, to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same,

It is now here ordered by the Court that said petition be, and the same is hereby, granted

per Mr. Chief Justice Fuller.

Samuel B. Hartman,
714 vs. Petitioner
John D. Park & Sons Company. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted

per Mr. Chief Justice Fuller.

655. Thomas B. Clement, Petitioner, vs. The United States. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr Chief Justice Fuller.

685 Frederick Herbert Ramsden, Petitioner, vs. Henry M. Knowles. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First

thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

697. Armour & Company vs. Agnes Kinney. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

698. Alaska Treadwell Gold Mining Company vs. Z. R. Cheney, Administrator of the estate of Ole Linge, deceased. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and

as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

714 Jack B. Henderson, Petitioner vs. James M. Henrie and Union Trust & Deposit Company, Trustee. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

717 James L. Bradford and William A. Wright, Petitioners vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon

same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr Chief Justice Fuller.

James L. Bradford et al. vs. The United States. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

705 Webster Coal and Coke Company, vs. A. J. Cassatt et al. Petitioners.

706. Pennsylvania Coal & Coke Company vs. A. J. Cassatt et al. Petitioners.

Mr. Henry M. Hoyt in behalf of counsel for the petitioners, submitted to the consideration of the Court.

Motions to advance these cases.

Monday, May 13th, 1907, continued.

720 William Adair, Plaintiff in Error, vs. The United States. Mr. Solicitor General Hoyt, in behalf of counsel for the plaintiff in error submitted to the consideration of the Court a motion to advance this cause.

744 Oxford Coast Line Railroad Company, Petitioner vs. Union Bank of Richmond, Va. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Thomas B Norman in support of the same, and Mr. William L. Royall in opposition thereto.

746 The American News Company, Petitioner, vs The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Albert A. Washburn in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

The First National Bank of Chicago et al., vs. The Chicago Title & Trust Company, Trustee, &c., et al. — Plaintiffs in Error — 304

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Joseph E. Paden and Mr. Newton Wyeth in support of the same and Mr. Henry S. Robbins in opposition thereto.

Ex parte In the matter of The First National Bank of Chicago et al., Petitioners — 1 Original

This case was submitted to the consideration of the Court on printed argument by Mr. Henry S. Robbins of counsel for petitioners, and Mr. Joseph E. Paden and Mr. Newton Wyeth, of counsel for respondents.

North Chicago Street Railroad Company, et al., Petitioners vs. Chicago Consolidated Traction Company et al. — 737

West Chicago Street Railroad Co. et al., Petitioners vs. Chicago Consolidated Traction Co. et al. — 738

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Henry S. Robbins in support of the same, and Mr. Nathaniel C.

thereto, and leave granted counsel for the respondents to file additional briefs on or before Monday next and to counsel for petitioners to file brief in reply thereto.

Stanley Frances, Petitioners
vs.
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles L. Frailey in support of the same and leave granted to counsel for the respondent to file a brief in opposition thereto within five days.

Leeds & Catlin Company Petitioner
vs.
Victor Talking Machine Company et al.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Louis Hicks in support of the same, and Mr. Horace Pettit in opposition thereto.

National Exchange Bank of Providence, Rhode Island, Petitioners
vs.
City of Superior.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. J. H. Caldwell in support of the same.

371. Aaron Bluthenthal et al, vs. Plaintiffs in Error,
Miles C. Jones.

The death of Miles C. Jones, the defendant in error herein, having been suggested, it is ordered that Angus O. Jones, Administrator of the said Miles C. Jones, deceased, be, and he is hereby, made the party defendant in Error in this cause per stipulation of counsel.

376. Seymour W. Bousall, vs. Petitioner,
Arthur C. Hall.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Louis Lowenstein in support of the same and Mr. John M. Coit in opposition thereto.

381. Town of Centerville Station, St. Clair County, Illinois, vs. Petitioner,
Northwestern Brewing Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward C. Kramer in support of the same and Mr B. H. Canby in opposition thereto.

Charles M. Ward et al., Administrators &c., et al., vs. Petitioners
735 Maria E. G. McK. Ward et al.
Charles M. Ward et al., vs. Petitioners
736 Maria E. G. McK. Ward et al.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Henry M. Ward, and Mr. Austen G. Fox in support of the same, and Mr. William G. Wilson in opposition thereto.

Emma L. Kaipu, in behalf of Mokala Kaipu, vs. Appellant.
172. L. E. Pinkham, President of the Board of Health of the Territory of Hawaii.

Appeal from the District Court of the United States for the Territory of Hawaii.

It appearing to the Court from a suggestion filed herein by counsel for the appellee that Mokala Kaipu has died pending this appeal, it is considered by the Court that this cause has abated. Therefore, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Proclamation being made, the Court is adjourned

Monday, May 27th, 1907.

Pursuant to adjournment, the Court met today, at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Oliver Wendell Holmes,
William A. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Bonaparte, it is ordered that Eliot Tuckerman, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf, by Mr. Solicitor General Hoyt, it is ordered that J. Henry Metcalf, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

behalf by Mr Holmes Conrad, it is ordered that B. B. T. Catteson, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morgan H. Beach, it is ordered that G. A. Hanson, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Hayden, it is ordered that Archibald G. Thacher, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Gilfry, it is ordered that D. C. Sherman, Esquire, of Salem, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Parker Kirlin, it is ordered

Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Corcoran Thom, it is ordered that Edward W. Norris, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Timothy J. Butler, it is ordered that Bernard A. Gow, Esquire, of Trinidad, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church, it is ordered that William T. Hall and James M. Spear, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. M. Fechheimer, it is ordered that Samuel W. Hayes, Esquire, of Chickasha, Indian Territory, and Charles L. Moore, Esquire,

to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Louisa Sauer, Gertrude Crane, individually and as administratrix of George W. Sauer, deceased et al., vs. The City of New York — Plaintiffs in Error — In Error to the Supreme Court of the State of New York

130

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Moody.

Dissenting:
Mr. Justice McKenna &
Mr. Justice Day.

The Iowa Railroad Land Company vs. Claude F. Bleamer — Plaintiff in Error — In Error to the Supreme Court of the State of Iowa.

207

This cause came on to be heard on the tran-

Court of the State of Iowa: and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

(Mr. Justice Brewer concurs in the judgment.)

(Announced by Mr. Chief Justice Fuller.)

275 The Mayor and Aldermen of the City of Vicksburg, vs. Appellant Vicksburg Water Works Company.

Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

278.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, and judged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, modified so as to enjoin interference on the part of the City, during the term of the contract, with the right of the Company to charge rates not in excess of fifty cents a thousand gallons to private consumers, as set forth in the ordinance and as so modified that said

affirmed with costs.

per Mr. Justice Day

(Announced by Mr. Chief Justice Fuller.)

Mayer S. Bruchheimer and Louis S. Bruchheimer surviving Executors of the last will & testament of Simon Bruchheimer, deceased vs. Plaintiffs in Error. Theodore R. Converse, Receiver of The Minnesota Thresher Manufacturing Company.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs; and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Day

(Announced by Mr. Chief Justice Fuller.)

Max Drey, Charles D. Bernheimer, and Meyer A. Bernheimer, Executors of the last will and testament of Isaac Bernheimer, deceased,

vs.

Theodore R. Converse, Receiver of The Minnesota Thresher Manufacturing Company.

In Error to the Circuit Court of the United States for the Southern District of New York.

279. Plaintiffs in Error,

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Day.

(announced by Mr. Chief Justice Fuller.)

Copper Queen Consolidated Mining Company,
vs. Appellant
The Territorial Board of Equalization of the Territory of Arizona

Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs

per Mr Justice Holmes.

The United States,
vs. Plaintiff in Error,
The Paine Lumber Company,

In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed.

per Mr. Justice McKenna.

Illinois Central Railroad Company, et al., vs. Appellants, The Interstate Commerce Commission. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice McKenna.

Dissenting:
Mr. Justice Brewer.

(Mr. Justice Moody took no part in the decision of this cause.)

Southern Railway Company et al, vs. Appellants, A. A. Tift et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was ar-

It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Georgia

per Mr. Justice McKenna

Dissenting:
Mr. Justice Brewer.

(Mr. Justice Moody took no part in the decision of this cause.)

James Buck, Trustee under the will of Jot M. Nash, deceased, vs. William E. Black, Treasurer of Tippecanoe County, Indiana. Plaintiff in Error. In Error to the Supreme Court of the State of Indiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for

the opinion of this Court.
per Mr. Justice Peckham.

Dissenting:
Mr. Justice Day and
Mr. Justice Brewer.

224 Security Warehousing Company et al., Appellants,
vs.
Elbert B. Hand, Andrew Dietrich and E. McDill, Trustees of The Racine Knitting Company, Bankrupt.

Appeal from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Wisconsin.
per Mr. Justice Peckham.

Vicente Romero, Appellant, vs. Robert A. Todd. Appeal from the District Court of the United States for the District of Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings conformably to the opinion of this Court.

per Mr. Justice White.

The United States, Appellant, vs. Conrad Heinszen and Gustav Brockman, trading as partners under the firm-name of C. Heinszen & Co. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said

same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition of the claimants.

per Mr. Justice White.

(Mr. Justice Harlan concurs in the result.)

Dissenting:
Mr. Justice Brewer
Mr. Justice Peckham

(Mr. Justice Moody took no part in the decision of this cause.)

236. Edward A. Love,
vs. Plaintiff in Error,
Annie Hall et al

On consideration of the petition for rehearing in this cause, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Brewer.

358 Homer E. Grafton,
vs. Plaintiff in Error
The United States.

In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment

and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to order the complaint or information in the Court of First Instance to be dismissed and the defendant discharged from custody.

per Mr. Justice Harlan.

Ex parte In the matter of James Pollitz, Petitioner. (Original)

On consideration of the petition for a writ of Mandamus herein, of the return to the rule to show cause, and the argument of Counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged and the petition dismissed.

per Mr. Chief Justice Fuller.

Commonwealth of Virginia, Complainant, vs. State of West Virginia. (Original)

This cause came on to be heard on the bill of complaint and the demurrer of the defendant thereto, and was argued by Counsel. On consideration whereof, It is now here ordered by the Court that said demurrer be, and the same is hereby, overruled without prejudice to any question, and leave is hereby granted the defendant to file answer on or before the first Monday of the next term.

705 Webster Coal & Coke Company
vs. Petitioner
A. J. Cassatt, et al

706 Pennsylvania Coal & Coke Co.,
vs. Petitioner
A. J. Cassatt et al.

On consideration of the motions to advance these causes, It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the causes assigned for argument on Monday, October 21st next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller

720. William Adair
vs. Plaintiff in Error,
The United States.

It is ordered by the Court that the further consideration of the motion to advance this cause be, and the same is hereby, postponed until the next term.

per Mr. Chief Justice Fuller.

712. Leeds & Catlin Company
vs. Petitioner,
Victor Talking Machine Company
Et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of Counsel thereupon had,

it is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

743. Leeds & Catlin Company vs. Victor Talking Machine Company et al. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

641 Troy Wagon Works Company, vs. Howard L. Hanover, Trustee of the estate of John M. Gilligan, bankrupt. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It

petition be, and the same is hereby, denied.
per Mr. Chief Justice Fuller.

716. National Exchange Bank of Providence, Rhode Island, vs. City of Superior. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.
per Mr. Chief Justice Fuller.

731. Town of Centerville Station, St. Clair County, Illinois, vs. Northwestern Savings Bank. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.
per Mr. Chief Justice Fuller.

734 Seymour N. Bousall, Petitioner, vs. Arthur C. Platt. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

735 Charles M. Ward et al., Administrators of Charles A. Ward, deceased, vs. Maria E. G. McK. Ward et al. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

736. Charles M. Ward et al., vs. Petitioners Maria E. V. McK. Ward et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

737. North Chicago Street Railroad Company et al., vs Petitioners Chicago Consolidated Traction Company. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

West Chicago Street Railroad Company, et al., vs. Chicago Consolidated Traction Company et al. Petitioners

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr Chief Justice Fuller.

No. 740

The American News Company, vs. The United States. Petitioner

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

744. Orford & Coast Line Railroad Company, vs. Petitioner, Union Bank of Richmond, Virginia. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

745. Stanley Francis, vs. Petitioner The United States. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

per Mr. Chief Justice Fuller.

17, Original. Ex parte In the matter of The St. Louis Mining and Milling Company of Montana, Limited. Petitioner. On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged and the petition dismissed.

per Mr. Chief Justice Fuller.

Original. The State of Kansas, Complainant. vs. The State of Colorado, et al. A motion for leave to present a petition for rehearing herein, at the next term was entered on motion of Mr. Solicitor General Hoyt in behalf of counsel for complainant.

781 Candido Acosta et al., Appellants, vs. The People of Porto Rico. Mr. Solicitor General Hoyt, in behalf of counsel for the appellee, having filed in open court the following certificate, to-wit:

"Supreme Court of Porto Rico
Office of the Secretary.

I, Antonio J. Castro, Secretary of the Supreme Court of Porto Rico, do hereby certify that

entitled 'The People of Porto Rico v. Leandro Acosta, Anselmo Acosta, and Antonio Acosta,' a judgment was rendered by the said Supreme Court on the twenty ninth day of June, 1906, sustaining the judgment of the court below, to wit, a judgment rendered by the District Court of Humacao on the eighteenth day of December, 1905, and taxing the costs against appellants, and that thereupon, to wit on the second day of July, 1906, the said appellants prayed an appeal to the Supreme Court of the United States, which appeal was thereafter, to wit on the second day of October, 1906, duly allowed, and that on said appeal the People of Porto Rico was made party appellee. I further certify, that Mr. Nemesio Perez Moris attorney for appellants, in this court has been duly notified on February 7th, 1907, that the above mentioned case could not be docketed in the Supreme Court of the United States until a deposit of $25.00 be made with the Clerk of said Supreme Court on account of costs and appearance be entered for appellants by counsel, a member of the bar of said Court.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said Supreme Court, at San Juan, this tenth day of May, A. D. 1907.

(Seal) A. H. Castro

and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity to the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, docketed and dismissed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr Chief Justice Fuller.

576 Jarib L. Sanderson, vs. Appellant. The United States.

Mr. Solicitor General Hoyt, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

773 Penrose M'Lean. United States Collector &c., vs. Petitioner. William Dission, et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Solicitor General Hoyt in support of the same.

753 The City of Defiance. vs. Petitioner. William J. McGonigale Receiver, &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on

and Mr. Henry B. Harris in support of the same, and Mr. Henry Newbegin and Mr. Robert Newbegin in opposition thereto.

767. Central Railroad Company of New Jersey, Petitioner, vs. Eliza E. Wurts et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward C. Benedict and Mr. Robert H. De Forest in support of the same, and Mr. J. Parker Kirlin and Mr. Eliot Guerdeman, in opposition thereto.

774. Mammoth Mining Company vs. Plaintiff in Error. Grand Central Mining Company et al. On motion of Mr. R. N. Bacon, of counsel for the plaintiff in error, it is ordered by the Court that writs of error and certiorari issue herein to the District Court of Juab County, State of Utah.

246. Samuel A. Leathe, vs. Plaintiff in Error. Edward L. Thomas. The death of Samuel A. Leathe, the plaintiff in error herein having been heretofore suggested, now, on motion of Mr. John Maynard Harlan, of counsel for the plaintiff in error, it is ordered that Grace A. Leathe, sole executrix of the said Samuel A. Leathe be, and she is hereby

768. The Federal Contracting Company. vs. Petitioner, Bowers Hydraulic Dredging Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward W. Norris in support of the same and Mr. Horace L. Cheyney in opposition thereto.

770 R. A. Wright. vs. Petitioner. Norman Wright Company et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. J. P. Pattison in support of the same, and Mr. G. A. Hanson in opposition thereto.

716. Alberta J. Sharpe et al. vs Petitioners, Edward W. Rammels. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. A. H. Miller, Mr. Augustus Bocci, Mr. J. B. Jones, Mr. U. M. Rose, Mr. C. B. Rose, Mr. W. E. Hemmingway, and Mr. H. R. Marlatt in support of the same, and Mr. C. C. Calhoun in opposition thereto.

765 Edward E. Blodgett, vs. Petitioner, The Portland Chemical & Phosphate Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. G. Philip Wardner in support of the same, and Mr. H. Bisbee and Mr. George C. Budell in opposition thereto.

772. J. I. Case Threshing Machine Company, vs. Petitioner, The Indiana Manufacturing Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. R. S. Taylor, Mr. I. R. Boysen and Mr. James A. Peirce in support of the same, and Mr. W. A. A. Miller, Mr. C. K. Offield, Mr. C. C. Linthicum and Mr. Chester Bradford in opposition thereto, and leave was granted counsel to file additional briefs.

777 N. A. Mumm et al., vs. Petitioners Clinton Reed

778, 779, 780. N. A. Mumm et al., vs. Petitioners The Ibex Mining Company. The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Edwin A. Par[illegible] and Mr. J. J. [illegible]

same, with leave to counsel for the respondents to file briefs in opposition thereto hereafter.

Paul F. Vogel,
vs. Petitioner
William Work Burson

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. E. M. Ketchum and Mr. Edward J. Fennick in support of the same, and Mr. George W. Rea in opposition thereto.

Charles E. Yates et al.,
230 vs. Plaintiffs in Error
Jones National Bank
Charles E. Yates et al
231 vs. Plaintiffs in Error
Utica Bank
Charles E. Yates et al.,
232 vs. Plaintiffs in Error
Thomas Bailey
Charles E. Yates et al.,
233 vs. Plaintiffs in Error
Bank of Staplehurst

A motion for leave to present a petition for rehearing in these cases at the next term was submitted on motion of Mr. Arthur G. Hinges in behalf of counsel for the defendants in error.

Fidelity & Casualty Company of New York,
764 vs Petitioner
Bank of Timmonsville

The petition for a writ of certiorari herein was submitted to the consideration of

P. Kennedy Bryan in support of the same, and Mr. A. A. M. Smith and Mr. P. A. Wilcox in opposition thereto.

760 William Gordon Crawford, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. S. Worthington in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

11 Agustin Castello, Appellant, vs. Ernest Ruffer, et al. Mr. George H. Lamar, in behalf of counsel for the appellee, suggested the death of Agustin Castello, the appellant in this cause, and moved the Court for an order, under the 15th rule, to make the proper representatives of the said Agustin Castello parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said Agustin Castello shall voluntarily become parties within the first ten days of the ensuing term of this Court, the appellee shall be entitled to have the appeal dismissed: Provided, however, That a copy of this order shall be printed in some newspaper of general circulation in Porto Rico for three successive weeks, at least

of the Supreme Court then next ensuing.
per Mr Chief Justice Fuller.

20 Original. The State of Louisiana, Complainant, vs James R. Garfield, Secretary of the Interior et al — On motion of Mr. George H. Lamar, of counsel for the complainant leave is hereby granted to file the bill of complaint herein, and thereupon the issuing of process was waived by Mr Solicitor General Hoyt, of counsel for defendants.

166 Jerome P. Porter et al., Petitioners, vs. Tonopah North Star Tunnel & Development Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick De Courcy Faust and Mr. John E. Humphreys in support of the same, and Mr. Joseph L. Campbell and Mr. W. H. Metson in opposition thereto, with leave to counsel to file additional briefs.

516 The United States, Appellant, vs Conrad Heinzen & Co. — A motion for leave to present a petition for rehearing at the next term was entered on motion of Mr. Henry M. Ward, of counsel for

725 Susan E. Porterfield, Petitioner
vs.
Gerard D. Morris Trustee and Administrator of Eugene Baker, deceased, et al.

Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

It appearing to the Court that an authority of Counsel for petitioner to dismiss the petition for a writ of certiorari herein has been filed, Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court, that the petition for writ of certiorari, in this cause, be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller

262 The Chapman & Dewey Land Company,
vs. Plaintiff in Error
Charles H. Bigelow et al.

It is ordered by the Court that a motion for leave to file a petition for a rehearing in this cause at the next term be entered.

Monday, May 25th, 1903. Continued.

Order.

It is now here ordered by the Court that all the cases on the docket not disposed and all the other business of the term not disposed of be, and the same are hereby continued until the next term

per Mr. Chief Justice Thorne

Proclamation being made the Court is adjourned to the time and place appointed by

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At the Capitol of the United States, in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October (being the fourteenth day of the same month) in the year of our Lord one thousand nine hundred and seven and of the Independence of the United States the one hundred and thirty second, the Supreme Court of the United States met agreeably to law.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKinney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Milton D. Purdy, it is ordered that Frank Healy, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor

On motion first made to the Court in this behalf by Mr John G. Carlisle, it is ordered that John J. O'Bonnell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Geo. E. Sullivan, it is ordered that Horace L. B. Hendisson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alford W. Cooley, it is ordered that John S. Wilson, Esquire, of Boston, State of Massachusetts, Robbins B Anderson, Esquire of Honolulu, Territory of Hawaii, and Marshall Van Winkle, Esquire, of Jersey City, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward T. Sanford, it is ordered that Frederick J. Tyler, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis L. Campbell, it is ordered that George Marvin Savage and John C. Higgins, Esquires, of Seattle, State of Washington, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Percy Myers, it is ordered that Vallandigham B. Baggott and George Ryall, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jackson H. Ralston, it is ordered that H. Winship Wheatley, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. B. Peirce, it is ordered that Blewett Lee, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is

District of Columbia, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. George A. Howard, it is ordered that Charles P. Abbey, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Consaul, it is ordered that Edwin A. Wilcox, Esquire, of San Jose, State of California, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Machen, it is ordered that Augustine L. Holmes, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Coit, it is ordered that Sam Terry Smith, Esquire, of San Diego, State of California, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

On Mr. R. A. Thayer, it is ordered that Emmet A. Wilson and Oscar C. Mueller, Esquires, of Los Angeles, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Calhoun, it is ordered that John Mason Brown, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington, it is ordered that H. H. Durbaum, Esquire, of Zanesville, State of Ohio, and Andrew K. Sheriff, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred Beall, it is ordered that H. E. Dyess, Esquire, of Fort Worth, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. E. Bryson, it is ordered that

District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and was sworn accordingly.

On motion first made to the Court in this behalf by Mr Charles Henry Butler, it is ordered that R. W. Ruffin, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nelle R. Wood, it is ordered that R. Hall, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that W. A. Stanley, Esquire, of Honolulu, Territory of Hawaii, William R. Begg, Esquire, of St Paul, State of Minnesota, and Allan D. Cole, Esquire of Louisville, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court; and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harvey M. Friend, it is ordered that H. R. Benton, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn

5 Orig. The United States of America, vs. Complainant. J. F. Shipp et al. On motion of Mr. Asst. Attorney General Sanford, of counsel for the complainant, it is ordered that the testimony taken herein be opened, published and filed.

5 Origl. The United States of America. vs. Complainant. J. F. Shipp et al. On motion of Mr. Assistant Attorney General Sanford, of Counsel for the complainant, leave is hereby granted to file the reports of the Commissioner as to the taking of testimony and as to his expenses in connection therewith, and also stipulations of counsel as to facts, as to the taking of the testimony and as to the misnomer of certain defendants.

17 Edgar Jadwin et al, vs. Plaintiffs in Error, The State of Texas. On motion of Mr. Assistant Attorney General Sanford, of Counsel for the plaintiffs in error, It is ordered by the Court that this cause be, and the same is hereby passed, subject to the provisions of section 9 of Rule 24.

24	The United States vs. A. Graf Distilling Co.	On motion of Mr. Asst. Attorney General Cooley, of counsel for the United States, It is ordered by	245

the Court that this cause be, and the same is hereby, passed subject to the provisions of section 9 of Rule 26.

1101	The United States, vs. Plaintiff in Error, Neil MacDonald.	On motion of Mr. Asst. Attorney General Cooley, of counsel for the plaintiff in error, It is or-	380

dered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with case No. 238, as one case.

110 & 111	White Smith Music Publishing Co., vs. Appellant Apollo Company.	Mr. Albert H. Walker submitted to the con-	389

sideration of the Court petition of the Connorized Music Company for leave to be made a party hereinand for leave to file brief and make oral argument herein. Mr. Nathan Burkan submitted to the consideration of the Court petition of Victor Herbert for leave to file printed brief and make oral argument herein. 442.

El Paso and Southwestern Railroad Co.,
vs. Plaintiff in Error
H. D. Vizard.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed argument by Mr. George E. Wallace in support of the same.

Mollie E. Dupree, et al.,
vs. Petitioners
Jo. W. Mauser.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. J. Darlington in support of the same and Wm. M. McCormick in opposition thereto.

Dietrich Loewer et al.,
vs.
Martin Lawler et al.

Mr. Daniel Davenport, of counsel for Loewer et al., submitted to the consideration of the Court petition for a writ of certiorari herein to bring up the entire record and cause; and also motion to advance the cause.

George G. Ware.
vs. Petitioner
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. J. Mahoney in support of the same and Mr.

257 Timothy T. Paddell, Plaintiff in Error
vs.
The City of New York.

Mr. Everett V. Ab
of counsel for the
plaintiff in error
submitted to the
sideration of the Court a motion to advance
cause.

133 A. K. Stuart,
vs. Plaintiff in Error,
The United States.

In Error to the Supr
Court of the Philipp
Islands:

This cause having been called to the attention
the Court by Mr. L. T. Michener, of counsel for
plaintiff in error, and he having moved the C
to dismiss the writ of error in this cause, Ther
in pursuance of said motion, It is now here or
and adjudged by this Court that the writ of error in th
cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fulle

168 James A. Chapman, Trustee &c.,
vs. Appellant,
Abner T. Bowen

The motions
dismiss or af
in this cause
were submitt
to the consideration of the Court on the record
and printed arguments by Mr. M. Winfield
support of the same and Mr. Harry K. Nunn
in opposition thereto.

	Contractors Supply and Equipment Co. et al.,	The petition for a writ of certiorari herein was
1461.	vs. Petitioners —	submitted to the consider-
	J. E. Hill Co. et al.	ation of the Court on

printed arguments by Mr. Lloyd C. Whitman in support of the same and Mr. Charles P. Abbey in opposition thereto.

	Great Southern Gas & Oil Co.,	The petition for a
1479.	vs. Petitioner	writ of certiorari
	Logan Natural Gas & Fuel Co.	herein was submit-

ted to the consideration of the Court on printed arguments by Mr. A. K. Sheriff and Mr. Wm. B Sanders in support of the same and Mr. James A. Reed, Mr C. A. Grosvenor, Mr John C Reeves and Mr. M. A. Daugherty in opposition thereto.

	Aetna Indemnity Co.,	The petition for a writ
1464.	vs. Petitioner	of certiorari herein
	J. K. Crowe Coal and Mining Co.	was submitted to the consideration of the Court on printed

arguments by Mr. W. B. Homer and Mr James A. Botsford in support of the same and Mr L. C. Boyle and Mr. Wm J. Guthrie in opposition thereto.

1156. Milo A. Osborn, Petitioner vs. The Atchison, Topeka & Santa Fe Railway Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. A. Hoehling, Jr., in support of the same and Mr Gardiner Lathrop, Mr. Robert Dunlap and Mr. A. B Browne in opposition thereto.

Ex parte In the Matter of Thomas B Clement. Petitioner.

Mr. Jackson A. Kaleton in behalf of counsel for the petitioner submitted to the consideration of the Court a motion for leave to file a petition for a writ of Mandamus herein.

1054. The Missouri Valley Land Co., et al., Plaintiffs in Error vs. Thomas Wise and

1055. The Missouri Valley Land Co., et al., Plaintiffs in Error vs. Carston Wrich

The motions to dismiss or affirm in these causes were submitted to the consideration of the Court on the records and printed arguments by Mr. E. F. Colladay in support of same and Mr. Charles A. Clark in opposition thereto.

320. The Chesapeake & Ohio Railway Co., et al., vs. Plaintiffs in Error, Emma R. McCabe, Admx &c. and The Chesapeake & Ohio Railway Co., et al., 1421 vs. Plaintiffs in Error, John McDonald, Admr &c.

Mr. A. D. Cole, of counsel for defendants in error submitted to the consideration of the Court motions to advance these cases pursuant to Rule 22.

232. Duluth & Superior Bridge Co., vs. Appellant, The Steamer "Tracy."

Mr. A. B. Browne in behalf of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause.

1466. Henry Winnemaw, Jr., vs. Petitioner, M. M. Drake et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Charles E. Kremer in support of the same and Mr. Harvey D. Goulder and Mr. Frank I. Mastin in opposition thereto.

476 The Charles Nelson Co., Claimant, vs. Petitioner, Standard Theatre Co.

The petition for a writ of certiorari herein was submitted to the consideration of

Brief in support of the same.

Napoleon B Dobson,
115 vs. Plaintiff in Error,
William A Mellon's

On motion of Mr. Worthington, of Co for plaintiff in er It is ordered by t Court that this cause be, and the same is here passed subject to the provisions of section 4 of Ru

The Baltimore & Ohio
Railroad Company,
1453. vs. Petitioner
James B. McCune.

The petition for a of certiorari herein submitted to the co ation of the Court prilled arguments

Mr. Robert J. Fisher in support of the same an Mr. James M. Martin in opposition thereto.

United Land Association et al,
1475 vs. Plaintiffs in Error,
Louis Abrahams et al.

On motion of Charles A. Bate in behalf of Cou for the defendan

error, It is ordered by the Court that this cau be, and the same are hereby passed subject to th provisions of section 4 of Rule 21.

James Buck, Trustee, &c.,
1402 Plaintiff in Error
1906 William E. Beach, Treas'r &c.

Mr. W. R. Wood of Counsel for t defendant in er submitted to the

consideration of the Court a motion for leave

93. George Desliens et al., vs. Petitioners, La Compagnie Generale Transatlantique

On motion of Mr. Edward L. Jones, of counsel for the respondent, It is ordered by the Court that this cause be, and the same is hereby, passed temporarily.

92. John C. Orrell et al., vs Plaintiffs in Error, Bay Manufacturing Co.

In Error to the Supreme Court of the State of Mississippi.

It appearing to the Court that a motion by counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

154. Helen Rowland, vs Plaintiff in Error Frank Godfrey, Trustee &c.

In Error to the Supreme Court of the Territory of Hawaii.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

118. Albert K. Hiscock, Trustee &c. vs American Woolen Co. of New York. Appellant; Appeal from the United States Circuit Court of Appeals for the Second Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed without costs to either party.

per Mr. Chief Justice Fuller.

182. The Chicago, Rock Island & Pacific Railway Company, vs. The Territory of Oklahoma. Appellant Appeal from the District Court of Garfield County, Territory of Oklahoma.

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

153 The Chicago, Rock Island & Pacific Railway Company, Appellant, vs. The Territory of Oklahoma, Appeal from the District Court of Garfield County, Territory of Oklahoma.

It appearing to the Court that a motion by counsel for appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

279 Ames Realty Company, Appellant, vs. The State of Montana, John W. Wade et al., comprising The Caven Land Act Board, & Union Bank & Trust Co., Appeal from the Circuit Court of the United States for the District of Montana.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed,

per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court would commence the call of the docket tomorrow, pursuant to the 26th Rule.

Helen Rowland,
vs. Plaintiff in Error,
Frank Godfrey, Trustee, &c.

It is ordered by the Court that leave be, and the same is hereby, granted to the Clerk to issue the mandate in this cause.

Albert K. Hiscock, Trustee,
vs. Appellant
American Woolen Co. of New York

It is ordered by the Court that leave be, and the same is hereby, granted to the Clerk to issue the mandate in this cause.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Pursuant to adjournment, the Court met to-day, at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward T. Sanford, it is ordered that Edward J. Brundage and Henry C. Butler, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. F. Stevenson, it is ordered that William D. Carter, Esquire, of Fredericksburg, State of Virginia, be admitted to practice

Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Hepburn Russell, it is ordered that Jewell T. Tyng, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. A. Armstrong it is ordered that Nelson B. Gaskill, Esquire, of Trenton, and William T. Reed, Esquire, of Camden, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William S. Bryan, Jr., it is ordered that Edward A. Sweell, Esquire, of Oakland, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Josiah M. Vale, it is ordered that Ruby R. Vale, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. G. Woodard, it is ordered that D. W. Buckner, Esquire, of Enid, Oklahoma Territory, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Braudenburg, it is ordered that Hugo S. Mack, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C Gittings, it is ordered that William Steele Grey, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dana Malone, it is ordered that Everett Watson Burdett and Joseph H. Knight, Esquires, of Boston, [illegible] of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Archibald G. Thacher, it is or-

Albany, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

American Sugar Refining Co. of New York,
23. vs. Appellant,
The United States

On motion of Mr. Attorney General Bonaparte, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby passed, subject to the provisions of section 9 of Rule 26.

State of Maryland
4 Original vs. Complainant,
State of West Virginia

On motion of Mr. W. J. Bryan, Jr., of counsel for the complainant, It is ordered by the Court that leave be, and the same is hereby granted to file, open, and publish the testimony and exhibits on behalf of both the parties to this cause.

Security Mutual Life Insurance Co.,
371 vs. Petitioner
Frederick L. Michaelson

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederic W. Jenkins in support of the same, and Mr. J. M. Vale and Mr. Ruby R. Vale in opposition thereto.

483. Arthur U. Dennis et al., Plaintiffs in Error, vs. Syrenus Davis et al. Mr. John Sidney Webb, of Counsel for the defendants in error, having filed in open court the following certificate, viz:

"In the Supreme Court of the State of Washington

Syrenus Davis, John P. Hartman, Henry C. Davis and Louis A. Davis, Respondents, vs. Arthur U. Dennis, Albert A. Dennis, George Weikel and Ella C. Weikel, Appellants. } No 6056 Certificate.

I, C. S. Reinhart, Clerk of the Supreme Court of the State of Washington, do hereby certify that on the 25th day of July, 1906, in a certain cause then pending in the said Supreme Court, of the State of Washington, wherein the above named Syrenus Davis, John P. Hartman, Henry C. Davis and Louis A. Davis were Respondents, and Arthur U. Dennis, Albert A. Dennis, George Weikel and Ella C. Weikel were defendants, judgment was rendered therein in favor of the said respondents and against the said appellants, affirming the decree, award and judgment rendered by the Superior Court of the State of Washington, in and for the County of Lewis, from which an appeal was taken by the above named appellants, and for costs of suit amounting to the sum of

award confirmed and rendered in the
Supreme Court of the State of Washington
the said Arthur U. Dennis, Albert A. Den
George Weikel and Ella C. Weikel, on the
day of September, 1906, prayed for and obt
a writ of Error to the then next term of
Supreme Court of the United States, and
the 13th day of September, 1906, entered in
bond in the penalty of $10,000 with Jame
Courtright, Nellie L. Courtright, James T.
Courtright, Margaret T. Courtright, T. J. C
D. E. Wright, John L. Druse, and Eva Dru
as security, payable to said respondents, Syl
Davis, John P. Hartman, Henry C. Davis an
Louis A. Davis, conditioned that if the said
Arthur U. Dennis, Albert A. Dennis, Geor
Weikel and Ella C. Weikel should prosecu
said writ of error to effect, and shall also
and satisfy the judgment which shall be
dered in said cause by the Supreme Court
the United States, then the said obligation
be void; otherwise to remain in full force a
virtue.

I further certify that I have never ma
nor have I been requested by the above name
appellants, or either of them, or anyone acting
for them or either of them, to make any certif
copy or other copy of the proceedings in this
cause for appeal to the said Supreme Court
the United States.

In testimony whereof I have hereto

subscribed my name and affixed the seal of the said Supreme Court of the State of Washington, at my office and the place of holding said court in the City of Olympia, State of Washington aforesaid, this 28th day of August, 1907, and of the independence of the United States of America the one hundred and thirty-second.

C. S. Reinhart,
Clerk.

(Seal)

And it appearing to the Court that the plaintiffs in error have failed to have their cause filed and docketed in conformity to the rules of this Court, It is now here ordered and adjudged by this Court that the writ of Error in this cause to the Supreme Court of the State of Washington be, and the same is hereby docketed and dismissed with costs, and that this cause be, and the same is, hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

1160 The Milwaukee Rubber Co., vs The Rubber Tire Wheel Co. Petitions.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John C. Spooner, Mr. Charles Swarles and Mr. J. L. Bishop in support of the same, and

1167 Armour Packing Co, Petitioner vs. The United States
1168 Swift and Co., Petitioner vs. The United States
1169 Morris and Co, Petitioner vs. The United States
1170 Cudahy Packing Co., Petitioner vs. The United States.

The petition for writs of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank Hagerman, Mr. A. R. Urion and Mr. John C. Cowin in support of the same, and Mr. Solicitor General Hoyt and Mr. Assistant to the Attorney General Purdy in opposition thereto.

66 Abe Strauss vs. The Commonwealth of Massachusetts. Plaintiff in Error. In Error to the Superior Court of the State of Massachusetts.

This cause having been called to the attention of the Court by Mr. Dana Malone, of counsel for defendant in error, and a stipulation of counsel for the respective parties to dismiss the writ of error in this cause having been filed, Therefore, in pursuance of said stipulation. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs per Mr. Chief Justice Fuller.

Not. Consolidated Rendering Co., Plaintiff in Error
vs
The State of Vermont by Clarke C. Fitts, Attorney General

Mr. Clarke C. Fitts, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

82. The Southern Pine Lumber Co., et al., Plaintiffs in Error
vs
W. B. Ward et al.

The motions to dismiss or affirm this cause were submitted to the consideration of the court on the record and printed arguments by Mr. D. W. Buckner and Mr. John C. Moore in support of the same, and Mr. Henry F. Woodard and Mr. Arthur A. Birney in opposition thereto.

6. Ann M. Harrison, Plaintiff in Error,
vs
The Danville & Western Ry. Co.

Mr. Abram P. Staples, of counsel, suggested the death of the plaintiff in error herein, and the cause was passed in order to make new parties.

145 Thomas Peck et al.,
vs
Mutual Reserve Fund Life Ass'n of New York et al.

The motion for a writ of certiorari herein to bring up the entire record and cause was submitted

arguments by Mr. Wm. Hepburn Russell in support of the same and Mr. Frank H. Platt in opposition thereto.

	Neeus Steamboat Co., of Baltimore City,	The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed
455	vs Petitioners	
	People's Steamboat Co. et al	

arguments by Mr. George Neeus Williams, Mr. St. George R. Fitzhugh and Mr. Nicholas P. Bond in support of the same, and Mr. William D. Carter in opposition thereto.

	Tony Kersch,	In Error to the
3	vs Plaintiff in Error	Supreme Court of the
	The City of Topeka	State of Kansas

This cause having been called for hearing in its regular order, and Mr. C. A. Magaw, of counsel for the plaintiff in error, having moved the Court to dismiss the writ of error herein, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr Chief Justice Fuller

7 Fritz Duncin, Plaintiff in Error, vs. The State of Kansas
8 Fred. Rass et al., Plaintiffs in Error vs. The State of Kansas
9 Fred Simmons et al, Plaintiffs in Error vs The State of Kansas

On motion of Mr. C. A. Magaw of counsel for the plaintiffs in error, It is ordered that these cases be, and the same are hereby, passed for settlement.

10 James Measley, Plaintiff in Error, vs. The State of Kansas. In Error to the Supreme Court of the State of Kansas

This cause came on for hearing in its regular order and Mr C. A. Magaw having suggested to the Court that this cause has abated by reason of the death of the plaintiff in error, Therefore, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

per Mr. Chief-Justice Fuller

111 Galban Gas Company, Appellant vs The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. T. Michener, Mr. W. W. Dudley and Mr. Barry Mohler, of counsel for the appellant, and Mr. Attorney General Bonaparte and Mr. Asst Attorney General Van Orsdel of counsel for the appellee.

Tuesday, October 15th, 1907, continued

Henry M. Earle, Admr &c.,
388 vs. Appellant
J. Percy Myers et al. Admrs &c

On motion of Mr. John C. Gittings, of counsel for the appellant,

It is ordered that this cause be, and the same is hereby advanced to be heard with case No. 12, as one case per stipulation of counsel.

Henry M. Earle, Admr &c.,
12 & 388 vs. Appellant
J. Percy Myers et al, Admrs &c

The argument of these cases was commenced by Mr. John C. Gittings, of counsel for appellant, continued by Mr. J. Percy Myers and Mr. M. J. Colbert, of counsel for appellees, and concluded by Mr. Henry E. Davis, of counsel for appellant.

Interstate Consolidated
Street Railway Company,
13 vs. Plaintiff in Error
The Commonwealth of Massachusetts.

The argument of this case was commenced by Mr. Everett Watson Burdett, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow, at 12 o'clock.

Wednesday, October 16th, 1907

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day.
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. L. T. Michener, it is ordered that Peter Hagner Holmes, Esquire, of Denver, State of Colorado, Frank H. Dunnahoo, Harry R. Wair and Samuel Parker, Esquires, of South Bend, State of Indiana, William Burditt Grant, Esquire, of New Orleans, State of Louisiana, and John VanZante, Esquire, of Portland, State of Oregon, be admitted to practice as attorneys and counsellors of this Court, and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Wm. Charles Cooper, Jr., it is ordered that George F. Arrel, Esquire, of Youngstown, State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

13 Interstate Consolidated Street Railway Co., Plaintiff in Error, vs. The Commonwealth of Massachusetts. The argument of this case was continued by Mr. Everett Wilson Burdett of counsel for the plaintiff in error, by Mr. Dana Malone, of counsel for defendant in error, and concluded by Mr. E. W. Burdett, of counsel for plaintiff in error.

15 Seaboard Air Line Ry Co, Plaintiff in Error, vs. A. L. Seegers et al. This cause was argued by Mr. W. F. Stevenson of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

16. Uriah S. Lee et al., Plaintiffs in Error, vs. The State of New Jersey This cause was argued by Mr. E. A. Armstrong, of counsel for the plaintiffs in error, and by Mr. Nelson B. Gaskill, of counsel for the defendant in error.

Wednesday, October 16th, 1907, Continued

19. The People of the State of Illinois, ex rel. John McNichols, vs. Plaintiff in Error, James Rose, Sheriff &c. for the plaintiff in error;

The argument of this cause was commenced by Mr John H. Gerling, of Counsel.

Proclamation being made, the Court is adjourned until tomorrow at 12 o'clock.

Thursday, October 17th, 1907

Pursuant to adjournment, the Court met today at the Capitol.

Present:

Honorables Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Julius A. Jones it is ordered that Samuel R. Chew, Esquire, of Van Buren, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Charles A. Cooney, Jr., it is ordered that Emerson B. Leonard, Esquire, of Warren, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. H. Dudley, it is ordered that Thomas Templeman Vander Hoeven, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that William J. Harding and Schuyler C. Carlton, Esquires, of New York City, and Jacob Evans, Esquire, of Provo, State of Utah, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

19. The People of the State of Illinois ex rel. John McNichols vs. Plaintiff in Error James Pease, Sheriff, &c. The argument of this cause was concluded by Mr. John T. Richards of counsel for the plaintiff in error, and the cause was submitted on a printed argument by Mr. E. C. Lindley, of counsel for the defendant in Error.

21. Grace A. Leache, Executrix &c. vs. Plaintiff in Error Edward L. Thomas This cause was argued by Mr. John Maynard Harlan, of counsel for the plaintiff in error, and by Mr. E. L. Thomas in propria persona.

22 Elizabeth M. Chambers
vs. Plaintiff in Error,
The Baltimore & Ohio R. R. Co.

The argument of this cause was commenced by Mr. Charles Aborn, Jr. of counsel for the plaintiff in error, and concluded by Mr. George F. Arrel, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Friday, October 18th, 1907

Pursuant to adjournment, the Court met today at the Capitol.

Present:

Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody, Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John G. Johnson, it is ordered, Francis D. Gowen, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. T. Michener it is ordered that Dwight Loomis Bailey, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court

223 Frank de L. Carrington,
224 vs. Plaintiff in Error,
225 The United States.

On motion of Mr. Holmes Conrad, of Counsel for plaintiff in error, It is ordered by the Court that these causes be, and the same are hereby passed, subject to the provisions of section 9 of Rule 26.

Elizabeth M. Chambers,
22. vs. Plaintiff in Error,
The Baltimore & Ohio R. R. Co.

The argument of this cause was commenced by Mr. George F. Arnold of Counsel for the defendant in error, and concluded by Mr. Charles Koonce, Jr., of Counsel for the plaintiff in error.

Vandalia Railroad Co.,
26 vs. Plaintiff in Error,
State of Indiana ex rel.
The City of South Bend.

This cause was argued by Mr. Samuel Parker of Counsel for the plaintiff in error, and and Mr. Harry R. Hair and Mr. L. T. Michener, of Counsel for the defendant in error.

Penn Refining Company,
27. vs. Plaintiff in Error,
Western New York & Pennsylvania R. R. Co., et al.

The argument of this cause was commenced by Mr. James W. Lee, of Counsel for the plaintiff in error.

Proclamation being made, the Court is ad-

Monday, October 21st, 1907.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Milton Purdy, it is ordered that Ellsworth L. Burton, Esquire, of Parsons, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Heyburn, it is ordered that William P. Brown, Esquire, of Bellingham, and E. M. Heyburn, Esquire, of Spokane, State of Washington, be admitted to practice as

they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Carter, it is ordered that James A. Walsh, Esquire, of Helena, State of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul Charlton, it is ordered that Charles Sumner Lobingier, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ira Jewell Williams, it is ordered that George Harbaugh Stein, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. White, it is ordered that William L. Wood, Esquire, of Kansas City, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf

E. Rapp, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. P. Miller, it is ordered that James H. Westcott, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. McGowan, it is ordered that B. W. Blakeney, Esquire, of Shawnee, Oklahoma Territory, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Thurston, it is ordered that Lee Card, Esquire, of Chadron, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Robeson, it is ordered that Thornton M. Pogue, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was

On motion first made to the Court in this behalf by Mr. A. J. Worthington, it is ordered that Edwin C. Dutton and John Lewis Johnson, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Frye White, it is ordered that Ralph M. Greenlaw, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Burton B. Tuller, Esquire, of Cincinnati, State of Ohio, Harold Taylor, Esquire, of Indianapolis, State of Indiana, and J. Wilmer Latimer, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry L. Stone, it is ordered that Sam B. Kirby, Esquire, of Louisville, State of Kentucky be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Adelaide V. Dilt, et al, Extrs, &c,
18 vs. Plaintiffs in Error
Otto Kibby, Comptroller of
the State of New York.

In Error to the Surrogates' Court of the County of New York, State of New York.

This cause came on to be heard on the transcript of the record from the Surrogates Court of the County of New York, State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Surrogates Court, in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Surrogates' Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Moody.

Dissenting:
Mr. Justice Harlan.

Samuel B. Raymond,
County Treas'r of Cook Co., Ill. &c. et al.
115 vs Appellants.
Chicago Union Traction Company.

Appeal from the Circuit Court of the United States for the Northern District of Ill

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consid

and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Peckham.

Dissenting:
Mr. Justice Holmes and
Mr. Justice Moody.

Samuel B. Raymond, County Treas'r of Cook County, &c., et al., Appellants.
vs
Chicago Edison Company.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Peckham

Dissenting:
Mr. Justice Holmes and
Mr. Justice Moody.

Samuel B. Raymond, County Treas'r of Cook County, Illinois, &c. et al, vs Appellants. Chicago City Railway Co.

117

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Peckham.

Dissenting:
Mr. Justice Holmes and
Mr. Justice Moody.

Samuel B. Raymond, County Treas'r of Cook County, Illinois, &c. et al, vs. Appellants, The South Chicago City Railway Company.

118.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consider-

and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Peckham.

Dissenting:
Mr. Justice Holmes and
Mr. Justice Moody.

Samuel B. Raymond, County Treasurer of Cook County, Illinois, &c., et al., Appellants,
vs.
The People's Gas Light and Coke Company.

No. 119

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Peckham.

Dissenting:
Mr. Justice Holmes and
Mr. Justice Moody.

Samuel B. Raymond, County Treas'r of Cook County, Illinois, &c., Et al., vs. Appellants. Chicago Telephone Co.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

120

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern Distrct of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Peckham.

Dissenting:
Mr Justice Holmes and
Mr Justice Moody.

Samuel B. Raymond, County Treas'r of Cook County, Illinois, &c., Et al. vs. Appellants. Chicago Consolidated Traction Co.

Appeal from the Circuit Court of the United States for the Northern Distrct of Illinois.

121.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern Distrct

consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed, with costs.

per Mr. Justice Peckham.

Dissenting:
Mr. Justice Holmes and
Mr. Justice Moody.

Leonidas M. Lawson,
William J. Harvey, Edward
Balbach, Jr., Et al.,
vs Petitioners
United States Mining Co.

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Utah.

per Mr. Justice Brewer.

Galban & Co Company,
14 vs Appellants. Appeal from the
The United States. Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

per Mr. Chief Justice Fuller.

Oct. 17
30 Orig. The State of Kansas, Complainant vs. The State of Colorado et al.
Oct. 1906 James Buck, Trustee, Pltff in Error, vs. William E Brack Trustee.
230 Oct. Charles E. Yates et al. Pltffs in Error, vs. Jones National Bank.
231. " Charles E. Yates et al. Pltffs in Error, vs. Ulcia Bank.
232. " Charles E. Yates et al. Pltffs in Error, vs. Thomas Bailey.
233. " Charles E. Yates et al. Pltffs in Error vs. Bank of Maplehurst.
620 Oct. 1906 The Chapman & Dewey Land Co. Pltff in Error, vs Chas. H. Ripley et al.
580 Oct. 1906 The United States, Appellants vs Conrad Benzon et al.

It is ordered by the Court that the motions for leave to present petitions for rehearing in these cases be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

Ex parte In the Matter of
Thomas B. Clement,
Petitioner

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that the said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller

Thomas Polk et al.,
vs.
Mutual Reserve Fund
Life Association

115.

On consideration of the motion for a writ of certiorari to bring up the entire record in this cause, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

The Southern Pine Lumber Co. et al,
vs. Writs of Error & Appeals.
H. B. Ward et al

82.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller

The Missouri Valley Land Company, et al.,
101 vs. Plaintiffs in Error,
Semus Wise
and
The Missouri Valley Land Company et al.,
102 vs. Plaintiffs in Error
Carsten Wich

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in these causes be, and the same is hereby postponed until the hearing of the causes on the merits.

per Mr. Chief Justice Fuller.

El Paso and Southwestern Railroad Company,
245 vs. Plaintiff in Error
A. D. Vizard

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

Jarib L. Sanderson, surviving Partner, &c.,
208 vs. Appellant
The United States et al

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

2132. Duluth & Superior Bridge Co., vs. Appellant. Steamer "Troy" &c.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr Chief Justice Fuller

257 Timothy F. Paddell, vs Plaintiff in Error. The City of New York,

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

320 The Chesapeake & Ohio Railway Company et al., vs. Plaintiffs in Error Emma R. McCabe, Admx &c. and. The Chesapeake & Ohio Railway Company et al., vs. Plaintiffs in Error J. N. McDonald, Admr, &c.

On consideration of the motions to advance these cases under the 32d rule, It is now here ordered by the Court that said motions be, and the same are hereby denied.

per Mr Chief Justice Fuller

293. William Adair, Plaintiff in Error
vs
The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, the 28th instant.

per Mr. Chief Justice Fuller.

364. Consolidated Rendering Co., Plaintiff in Error,
vs.
The State of Vermont by Clarke C. Fitts, Attorney General.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, December 3d, next.

per Mr. Chief Justice Fuller.

389. Dubuque Lumber Co. et al.
vs.
Martin Fowler et al.

On consideration of the motion for a writ of certiorari to bring up the entire record and cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, the transcript of record presented with the motion to stand as a return to the writ.

per Mr. Chief Justice Fuller.

384. Dietrich Loewe et al., vs. Martin Lawlor et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, December 2, 1907, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

White-Smith Music Publishing Company, vs. Apollo Company. Appellant

On consideration of the motions of the Connorized Music Company and Victor Herbert for leave to be made parties to these cases, for leave to their counsel to file briefs and to make oral arguments herein, It is now here ordered by the Court that leave be, and the same is hereby, granted counsel for the above named parties to file briefs herein as amici curiae. It is further ordered that the motions for leave to be made parties and to make oral arguments be, and the same are hereby, denied.

Per Mr. Chief Justice Fuller.

323 William Gordon Crawford vs. The United States. Petitioner

On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of

certiorari herein to the Court of Appeals of the District of Columbia and of the argument of counsel thereupon had; as well in support of as against the same; It is now here ordered by the Court that said petition be; and the same is hereby, granted

per Mr. Chief Justice Fuller

335 J. I. Case Threshing Machine Company, vs. Indiana Manufacturing Co. Petitioners

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted

per Mr. Chief Justice Fuller

455 Weems Steamboat Co., of Baltimore City, vs. Peoples Steamboat Co., et al Petitioners

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and

well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

- per Mr Chief Justice Fuller

1160 The Milwaukee Rubber Works Company; vs Petitioner The Rubber & Tire Wheel Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

- per Mr Chief Justice Fuller

1161 Swenson Packing Co., vs. Petitioner The United States — On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

- per Mr. Chief Justice Fuller

468 Swift & Company, Petitioner vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

469 Morris & Company, Petitioner vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be and the same is hereby, granted.

per Mr. Chief Justice Fuller.

470 Cudahy Packing Co., Petitioner vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

per Mr. Chief Justice Fuller.

310 Paul H. Vogel, vs. William Hoeck Burns, Petitioner — On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

316 The City of Defiance vs William J. McGonigale, Receiver, &c., Petitioner — On petition for writ of certiorari to the United States Circuit of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in suppor

by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

327 Fidelity & Casualty Co., of New York, vs. Petitioner / Bank of Summerville. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

328 Edward E. Blodgett, vs. Petitioner / The Portland Chemical and Phosphate Co. et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

329 Jerome P. Forlevat al, vs. Tonopah North Star Tunnel & Development Co. Petitioners

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

330 Central Railroad Co., of New Jersey, Owner &c., vs. Eliza E. Wrenn et al. Petitioners

On petition for writ of certiorari to the United States Circuit Court of Appeal for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller

231 The Federal Contracting Co., Petitioner
vs.
Bowers Hydraulic Dredging Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

333. R. N. Wright, Petitioner
vs
Gorman Wright Co. et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

336. Penrose McClain, U.S. Collector, &c., vs. Petitioners
William Dinsloe et al, Executors, &c.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

340 N. A. Munn, et al., vs. Petitioners
Clinton Reed.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller

341 N. A. Munn et al., vs Petitioners, The Iber Mining Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

342 N. A. Munn et al., vs Petitioners The Iber Mining Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

343. N. A. Munn et al., vs Petitioners The Iber Mining Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

371 Security Mutual Life Insurance Company, vs. Frederick L. Michaelson. Petitioners / On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

372 George G. Ware, vs. The United States. Petitioner / On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here

ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1453 The Baltimore & Ohio Railroad Company, vs. James B. McCune, Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1456 Milo A. Osborn, vs. The Atchison, Topeka & Santa Fe Railway Co. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

1461 Contractors' Supply and Equipment Co., et al., vs. Petitioners / E. Hill Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1466

1461 Aetna Indemnity Co., vs. Petitioner / J. R. Crowe Coal & Mining Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

1476

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Henry Neuman, Jr.,
vs Petitioner
n M. Dranel et al

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr Chief Justice Fuller.

The Charles Nelson Co.,
Claimant, &c.,
vs Petitioner
The Standard Theatre Co

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

1179. The Great Southern Gas & Oil Co., vs. Petitioners / Logan Natural Gas & Fuel Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition and the same is hereby denied.

- per Mr. Chief Justice Fuller

96 John Newton Williamson vs. Plaintiff in Error, The United States.

On motion of the Attorney General Bonaparte, of counsel for the defendant in error, It is ordered by the Court that the cause be, and the same is hereby, passed, subject to the provisions of Section 4 of Rule 16.

349. The United States. vs. Plaintiff in Error Clara Alfonso y Buncamutuna.

In Error to the Supreme Court of the Philippine Islands.

This cause having been called to the attention of the Court Mr Attorney General Bonaparte, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said

motion, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

192. Nicolas Arces, vs. Plaintiff in Error The United States

Mr. Attorney General Bonaparte, of Counsel for defendant in error, submitted to the consideration of the Court a motion to postpone the consideration of the motion of the plaintiff in error to pass this cause.

201 The St. Louis Iron Mountain and Southern Railway Co., vs. Plaintiff in Error Mary Taylor, Admx &c.

The motion to dismiss or affirm this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Samuel R. Chew in support of the same, and Mr. Oscar L. Miles in opposition thereto.

286 Atchison, Topeka and Santa Fe Railway Co., vs. Plaintiff in Error George A. Bowers.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George E. Wallace in support of the same, and Mr. J. N. Terry, Mr. A. B. Browne and Mr. Gardner

338 The United States, Appellant
vs.
The Sisseton & Wahpeton Bands of Sioux Indians,
and
339 The Sisseton & Wahpeton Bands of Sioux Indians, Appellants.
vs.
The United States.

Mr. W. A. Robes
Counsel for the
submitted to the
sideration of the
a motion to ad
these cases.

1175 Eugene C. Kneigh, Petitioner
vs.
Westinghouse, Church Kerr & Co.

The petition for a
of certiorari here
submitted to the co
ation of the Court
Mr. James S. Bolsfo

in support of the same.

343 D. C. Fritzlen et al., Plaintiffs in Error
vs.
The Boatmen's Bank.

The motion to dis
this cause was sub
to the considerati
the Court on prio

arguments by Mr. James S. Bolsford in suppo
of the same, and Mr. D. R. Hile and Mr. A. J
Bone in opposition thereto. Mr. James S. Bolsf
of counsel for defendant in error, also submit
to the consideration of the Court a motion t
advance this cause.

C. K. McIntosh et al.,
Trustees, &c.,
1144. vs. Petitioners,
The Petaluma Savings Bank et al

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. H. Coulter in support of the same and Mr. A. B. Browne in opposition thereto.

W. F. Baird, Admr, &c.,
306. vs. Plaintiff in Error,
J. D. Morrow et al

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr John M. Gordon in support of the same and Mr. Rufus A. Thayer in opposition thereto.

Kumford Chemical Works,
1412. vs. Petitioner,
Hygienic Chemical Co

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Philip Mauro in support of the same, and Mr. Willard Parker Butler in opposition thereto.

"

Monday, October 21st, 1907, con

White Smith Music Publishing Co., vs. Appellant; Apollo Company.

Mr. Charles A. Bu
of counsel for the a
presented motions
dismiss these appe
Whereupon, It is
by the Court that said motions be postpon
until the hearing of the cases on the mer

The Blythe Company, vs. Plaintiff in Error; Traders' Investment Co., et al.

358

The motion to dis
or affirm in thi
cause was subm
to the considera
the Court on the record and printed argum
by Mr E. S. Heller, Mr Frederic D. McKenn
and Mr Thomas J. Borque in support of th
same, and Mr George W. Towle in opposit
thereto.

W. H. Glazay et al., vs. Appellants, Fletcher R. Williams Trustee, etc.

161

The motion to di
in this cause was
submitted to the
sideration of the C
on the record and
printed arguments by Mr. P. M. Poque in suppo
of the same, and Mr Oscar N. Kuhn in oppos
thereto. The petition for a writ of certiorari here
was submitted to the consideration of the Court
by Mr Oscar N. Kuhn in support of the same

Frederick J Cochrane et al.,
462. vs. Petitioners
Royal Trust Company et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry M. Lawan in support of the same and Mr. Frank A Scott and Mr. Edgar A. Bancroft in opposition thereto.

Edward S. Thomas et al.,
Trustees, &c.,
197 vs. Petitioners
Anna D. Taggart et al.

On motion of Mr. Walter C. Clephane, in behalf of counsel. It is ordered that this cause be, and the same is hereby, advanced for argument with case No. 122, as one case.

The State of Georgia.
2 Original vs. Complainant.
The Tennessee Copper Company et al.

Mr. John C. Hart, of counsel for the complainant, submitted to the consideration of the Court a motion to postpone the entry of the final decree in this cause.

Ferdinand Hopp.
486 vs. Plaintiff in Error.
Thomas A. Pickford.

Mr. H. Russell Carter, of counsel for the defendant in error having filed in open Court the following certificate, to wit:

"Court of Appeals of the District of Columbia,

of the District of Columbia, do hereby certify
in a certain cause pending in said Court,
in Ferdinand Hopp was appellant and T
A Pickford was appellee, a final judgment
rendered by said Court on the 4th day of
A. D. 1907, in favor of the said appellee, Tho
A. Pickford, and against the said appella
Ferdinand Hopp, and that on the 8th da
June, A. D. 1907, said appellant sued out a
writ of error to the said Court of Appeals,
rected to remove said cause to the Supreme
Court of the United States.

In testimony whereof, I here
subscribe my name and aff
the seal of the said Court
Appeals at the City of Wash
D.C., this 18th day of October,
1907.

Seal.

Henry W. Hodges,
Clerk,"

and it appearing to the Court that the plaintiff
in error has failed to have his cause filed and
docketed in conformity to the rules of this Court, It is
now here ordered and adjudged by this Court that
the writ of error in this cause to the Court of Ap
peals of the District of Columbia, be, and the same
is hereby, docketed and dismissed with costs; and
that this cause be, and the same is hereby, remanded
to the said Court of Appeals to be proceeded in according
law and justice. Per Mr. Chief Justice Fuller

332. John Blakely, vs Petitioner
Fidelity Mutual Life Insurance Company

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr George A Stein and Mr H. B. Linn in support of the same and Mr Ira Jewell Williams in opposition thereto

480 Elizabeth Peck, vs. Petitioner
The Tribune Company

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr Rufus S. Simmons and Mr S C Ironig in support of the same and Mr John Barton Payne in opposition thereto

260 Clark Woodard Sprague, Sole surviving Executor, &c., vs. Plaintiff in Error
Jacob Betz et al.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John F. Shafroth in support of the same, and Mr. Chas. S. Fogg in opposition thereto.

172 Nicolas Arces, vs. Plaintiff in Error The United States

70 John M. Glenister, vs. Plaintiff in Error The United States

Motions to pa... these cases we... submitted to t... consideration ... the Court by ... plaintiffs in e... respectively;

27 Penn Refining Co., Ltd., vs. Plaintiffs in Error, Western New York & Pennsylvania Railroad Co., et al.

The argument ... this cause was ... continued by M... John G. Johnso... of counsel for the defendants in error, and concluded by Mr. Samu... J. Mehard, of counsel for the plaintiff in error.

89 Georgia Railroad and Banking Co., vs. Plaintiff in Error, Wm. A. Wright, Comptroller General, et al.

The argume... of this cause ... was continue... by Mr. Joseph ... Lamar, of Co...

sel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Pursuant to an adjournment, the Court met today at the Capitol

Present:

Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Corcoran Thom, it is ordered that Charles E. Searls, Esquire, of Thompson, and Gardiner Greene, Esquire, of Norwich, State of Connecticut, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Hart, it is ordered that Charles W. Spencer, Esquire, of Cambridge, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court.

Jose Paraiso,
238 vs. Plaintiff in Error,
The United States

John M. Flemister,
50 vs. Plaintiff in Error
The United States.

Nicolas Arces,
192 vs. Plaintiff in Error
The United States.

On motion of
Assistant Attorney
General Russell,
counsel for the d
ant in Error, It
ordered that the
cases be, and the
are hereby reassi
for argument on
December 2d nex
after the cases here
assigned for that

State of Washington,
3 Original vs. Complainant,
State of Oregon

On motion of Mr
A. Doherty, of coun
for the complainan
It is ordered by the
Court that this cause be, and the same is h
by assigned for argument on Monday, Decem
2 next, after the cases heretofore assigned for th
day.

The Georgia Railroad and
Banking Company,
89 vs. Plaintiff in Error,
William A. Wright,
Comptroller-General, et al.

The argument of
cause was continu
by Mr. Joseph R.
Lamar, of counsel f
the plaintiff in erro
Mr. Boykin Wright
and Mr. John C. Hart, of counsel for the defend
in error, and concluded by Mr. Joseph B. Cu
ming, of counsel for the plaintiff in error.

85	The Central of Georgia Railway Company, Plaintiff in Error vs. William A. Wright, Comptroller General etc. et al.	The argument of this cause was commenced by Mr. J. M. Cunningham, Jr., of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Wednesday, October 23d, 1901

Pursuant to adjournment, the Court met today at the Capitol.

Present:

Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody, Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. E. C. Brandenburg, it is ordered that James J. Purman, Frances Wayland Downey and Thomas S Crago, Esquires, of Waynesburg, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Robeson, it is ordered that Sigmund Zeisler and Henry L. Hertz, Esquires of Chicago, State of Illinois, be admitted to

Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. B. Sherrill, it is ordered that William Wilhelm, Esquire, of Pottsville, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

85 Central of Georgia Ry Co., vs Plaintiff in Error, William A. Wright Comptroller General, et al. The argument of this cause was continued by Mr. John C. Hart, of Counsel for the defendants in error, and concluded by Mr. T. M. Cunningham, Jr., of Counsel for the plaintiff in error.

87 Bank of Kentucky et al., vs. Plaintiffs in Error The Commonwealth of Kentucky. This cause was argued by Mr. Alexander Pope Humphrey, of Counsel for the plaintiffs in error, and Mr. Henry L. Stone, of Counsel for defendant in error.

Proclamation being made, the Court is adjourned

Thursday, October 24th, 1907

Pursuant to adjournment, the Court met today at the Capitol.

Present:

Honorables Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank J. Hogan, it is ordered that John Frances Hefferman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Malcolm A. Coles, it is ordered that Thomas Ball, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and

158 Henry Winters et al., Appellants. vs The United States.

The argument of this cause was commenced by Mr. E. C. Day, of counsel for the appellants, continued by Mr. Asst. Attorney General Sanford, and Mr. Asst. Attorney General Van Ordel, of counsel for the appellee, and concluded by Mr. James A. Walsh, of counsel for the appellants. Leave was granted counsel for the appellee to file an additional brief herein within three days, and to counsel for appellants to file a reply thereto.

238 William F. D. Taylor, Petitioner vs The United States

and.

1401 The United States, Plaintiff in Error vs. Neil Macdonald.

The argument of these cases was commenced by Mr. Lucius A. Bierce, of counsel for Taylor, and continued by Mr. Asst. Attorney General Cooley, of counsel for the United States.

Proclamation being made, the Court is adjourned

Monday, October 28th, 1907.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Associate Justices

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William G. Choate, it is ordered that Joseph P. Nolan, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Stone, it is ordered that Lee C. Beatty, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the

behalf by Mr. John L. Thompson, it is ordered that Albert K. Moore, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Earl, it is ordered that Walter H. Robinson, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas D. O'Brien, it is ordered that George T. Simpson, Esquire, of Winona, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte In the matter of Edward T. Young. Petitioner.

Mr. Thomas D. O'Brien, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for writs of habeas corpus and certiorari herein.

238 William F. D. Taylor, Petitioner
vs
The United States.
and
The United States,
vs Plaintiff in Error,
Neil Macdonald

The argument of these cases was continued by Mr. Asst. General Cooley, of counsel for the United States, Mr. William G. Choate, of counsel for Taylor, and concluded by Mr. Harrington Putnam, of counsel for Macdonald. Leave was granted counsel for the United States to file an additional brief within one week, and to counsel for Macdonald to file a reply thereto within one week thereafter.

261 D. Hunter, Jr. et al.,
vs. Plaintiffs in Error,
The City of Pittsburgh.

The argument of this cause was commenced by Mr. William A. Stone, of counsel for the plaintiffs in error, and continued by Mr. D. T. Watson, of counsel for defendant in error.

Proclamation being made, the Court is adjourned until Monday next at ten o'clock.

Pursuant to adjournment, the Court met today at the Capitol

Present:

Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Milton D. Purdy it is ordered that Eugene S. Wachhorst, Esquire of Sacramento, State of California and C. E. Mon, Esquire, of Chicago, State of Illinois be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Dudley, it is ordered that Nathan Gliedman, Esquire, of Milwaukee,

as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Gitterman, it is ordered that Loren E. Disney, Esquire, of Atoka, Indian Territory, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Hervey S. Knight it is ordered that Mitchell D. Price, Esquire, of Miami, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

16

On motion first made to the Court in this behalf by Mr. F. S. Monnett, it is ordered that Alonzo A. Byers, Esquire, of Oklahoma City, Territory of Oklahoma, and J. — A. Wilkins, Esquire, of McAlester, Indian Territory, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Wm. John W. Griggs, it is ordered that Benjamin S. Harmon, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

5 Original

On motion first made to the Court in this behalf by Mr A. B. Browne, it is ordered that Hosea Townsend, Esquire, of Ardmore, and R. E. Campbell, Esquire, of McAlester, Indian Territory, and Frank Wells, Esquire, of Oklahoma City, Territory of Oklahoma, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Uriah S. Lee, Frank B. Lee and Harry Sutton, vs Plaintiffs in Error. The State of New Jersey. In Error to the Court of Errors and Appeals of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Errors and Appeals, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Day.

Ex parte. In the matter of the First National Bank of Chicago and H. W. Rogers. and James C. Rogers and H. W. Rogers & Brother. On consideration of the petition for a writ of mandamus herein, the returns to the rule to show cause, and of the

by the Court that a writ of mandamus directed to the District Court of the United States for the Northern District of Illinois commanding it to set aside the order of April 27, 1906, entered in the proceeding entitled In re Alexander Rodgers, Bankrupt, No. 5810, be, and the same is hereby, awarded.

per Mr. Justice Holmes.

The First National Bank of Chicago & A. W. Rogers, & James C. Rogers, as A. W. Rogers & Brother, Plaintiffs in Error, vs. The Chicago Title & Trust Company, Trustee of Alexander Rodgers, Bankrupt & James A. Rollins.

In Error to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Holmes.

Ex parte In the Matter of Edward T. Young, et al. Petitioners

On consideration of the motion for leave to file a petition for writs of habeas corpus and certiorari herein, It is now ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte In the Matter of Edward T. Young, et al. Petitioners

On consideration of the petition of Edward T. Young, It is now here ordered by the Court that cause be shown by William L. Chamberlain, United States Marshal for the District of Minnesota, before this Court at the City of Washington on Monday, December 2d, 1907, or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

The State of Georgia, Complainant, v. The Tennessee Copper Company et al.

On consideration of the motion to postpone the entry of final decree in this cause, It is now here ordered by the Court that the time to present the form of the final decree to be entered herein, be, and the same is hereby, enlarged as counsel may be advised, without prejudice, and on due notice

Monday, October 28th, 1907, continued

335 The United States,
vs. Appellant.
The Sisseton & Wahpeton
Bands of Sioux Indians.
and.
The Sisseton & Wahpeton
Bands of Sioux Indians,
vs Appellant.
The United States

On consideration
the motion to a
these causes, It
now here ordered
the Court that
motion be and
same is hereby, gr
and the causes as
for argument on
day, January 27, 19

per Mr. Chief Justice Fuller

1611. W. H. Cruzlay et al.,
vs Appellants.
Stephen R. Williams
Trustee, &c.

It is ordered by
the Court that
the further cons
eration of the m
to dismiss and
petition for a writ of certiorari in this cause b
and the same is hereby, postponed until the he
ing of the cause on the merits.

per Mr. Chief Justice Fuller

201 St. Louis, Iron Mountain
& Southern Railway Co.,
vs. Plaintiff in Error,
Mary Taylor, Admx &c.

It is ordered by
the Court that
further consider
of the motions t
dismiss or affirm
in this cause be, and the same is hereby pos
poned until the hearing of the cause on the
merits.

per Mr. Chief Justice Fuller

286 Atchison, Topeka & Santa Fe Railway Co. vs. Plaintiff in Error George A. Bates

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

- per Mr. Chief Justice Fuller

345 D. G. Fritzlen et al. vs. Plaintiffs in Error The Boatmen's Bank

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed, until the hearing of the cause on the merits.

- per Mr. Chief Justice Fuller

345 D. G. Fritzlen et al. vs. Plaintiffs in Error The Boatmen's Bank

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

350 Mollie E. Dupree et al. vs. C. H. Manson. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. 1450

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr Chief Justice Fuller

1175 Eugene C. Knight, vs. Westinghouse, Church Kerr & Co. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. 309

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel ~~thereupon had, as well~~ in support of ~~as against~~ the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr Chief Justice Fuller

Elizabeth Peck, Petitioners vs. The Tribune Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

- per Mr. Chief Justice Fuller -

Albert J. Sharpe et al Petitioners vs. Edward P. Rankel On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth C[illegible]

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

- per Mr. Chief Justice Fuller -

832. John Blakely, vs. Fidelity Mutual Life Insurance Co. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari hereon to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

- per Mr. Chief Justice Fuller.

1141

1112. Rumford Chemical Works, vs. Hygienic Chemical Company. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

462.

On consideration of the petition for a writ of certiorari hereon to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

- per Mr. Chief Justice Fuller.

Robt. McIntosh &c. James P. Brown
Trustee in bankruptcy of A. B.
Castagain, bankrupt,
vs. Petitioners
The Petaluma Sewage Disposal &c. et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

— per Mr. Chief Justice Fuller.

Frederick S. Goshorn
et al.,
vs. Petitioners
Royal Trust Co. et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

— per Mr. Chief Justice Fuller.

Clark V. Woodard & Sprague, as sole surviving Executor & Trustee of the last will and testament of John N. Sprague, deceased,

In Error to the Supreme Court of the State of Washington.

260 vs. Plaintiff in Error.

Jacob Belz & Augusta Belz, his wife.

358

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error, in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

W. T. Baird, Admr. with the will annexed, of the estate of James S. Wilson, deceased,

In error to the Supreme Court of the State of California.

306. vs. Plaintiff in Error.

J. D. Monroe, W. B. Judson & George Harland.

317.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ord-

and adjudged by this Court that the writ of
error in this cause, be, and the same is hereby,
dismissed for the want of jurisdiction
per Mr Chief Justice Chase

The Blythe Company,
vs. Plaintiff in Error:
Bankers' Investment Co.,
Mutual Savings Bank,
Florence B. Moore & A. A.
Moore, Jr.

In Error to the
Supreme Court of
the State of
California.

This cause came on to be heard on the tran-
script of the record from the Supreme Court
of the State of California, and on motion to dismiss
or affirm which was argued by counsel. On
consideration whereof, It is now here ordered
and adjudged by this Court that the writ
of error in this cause, be, and the same is
hereby, dismissed for the want of jurisdiction
per Mr Chief Justice Chase.

E. & C. Atkins & Co.,
Appellants & Plaintiffs in Error
vs.
F. J. Allen, Commissioner of Patents.

Mr. Attorney
General Bona-
parte, of
Counsel for

Appellee and defendant in error, suggested the
resignation of Frederick J. Allen, and the ap-
pointment of E. B. Moore as his successor, as
Commissioner of Patents, and moved the Court

Missioner of Patents, the party appellee and defendant in error in this cause. Whereupon, It is now here ordered by the Court that E. B. Moore, as Commissioner of Patents, be, and he is hereby, made the party appellee and defendant in error in this cause.

George Deslions et al., vs. Petitioners, La Compagnie Generale Transatlantique

Mr. A. Gordon Murray, of counsel for the petitioners, suggested the death of William C. Perry, administrator of the respective estates of Kate M. Perry, deceased, Florence Perry, deceased, and Sadie Perry, deceased, and the appointment of Sallie M. Perry as administratrix de bonis non of the respective estates of the said Kate M. Perry, Florence Perry deceased, and Sadie Perry, deceased, and moved the Court to make the said Sallie M. Perry, as such administratrix, a party petitioner in this cause. Whereupon, It is now here ordered by the Court that the said Sallie M. Perry as administratrix de bonis non of the respective estates of Kate M. Perry, deceased, Florence Perry, deceased, and Sadie Perry, deceased, be, and she is hereby, made a party petitioner herein.

Samuel Peckat al,
vs. Petitioners
James Hamilton Lewis.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Levi Davis in support of the same, and Mr. Holmes Conrad in opposition thereto.

Ex parte: In the matter of Edward T. Young, Petitioner.

On motion of Mr. George T. Simpson, of counsel for the petitioner, It is now ordered by the Court that the petitioner be enlarged on his recognizance to be taken in the Circuit Court of the United States for the District of Minnesota, or a Judge thereof, conditioned to abide the further order of this Court.

Agustin Castello,
vs. Appellant,
Ernest Ruffner et al.

Appeal from the District Court of the United States for the District of Porto Rico.

This cause having been called to the attention of the Court by Mr. George A. Lemar, on behalf of counsel for the appellees, and he having moved the Court to dismiss this cause pursuant to the 9th rule of this Court, and it appearing to the Court that the parties have not been substituted for

this cause, as provided by the order of pu
tion issued herein, and proof of the p
lication of said order having been filed,
is therefore, in pursuance of the 15th rul
this Court, now here ordered and adjud
by this Court that this appeal be, and th
same is hereby, dismissed with costs.
Per Mr. Chief Justice Fuller

Hammond Packing Co., Mr. Robert A.
vs. Plaintiff in Error. and, in behalf
State of Arkansas. counsel, submi
ted to the cons
ation of the Court, a motion to advance
cause.

Frederick L. Grant Shoe A motion to di
Company, bankrupt, miss in this ca
vs. Plaintiff in Error was submitted
W. M. Laird Co., of Pillsbury, Pa. the consideration
of the Court on
the record and printed arguments by Mr. A
R. Wood in support of the same, and Mr. C
M. French in opposition thereto.

Nathaniel C. Foster, The motions
vs. Plaintiff in Error, dismiss or af
Williams Rowe, Impleaded, &c. in this cause
were submitted
to the consideration of the Court on printed
arguments by Mr. James Wickham in support
of the same, and Mr. W. M. Tomkins in opposition

264. D. Hunter, Jr., et al., vs. Plaintiffs in Error. The City of Pittsburgh. The argument of this cause was continued by Mr. D. T. Watson and Mr. W. B. Rodgers of counsel for the defendant in error, and concluded by Mr. John C. Johnson, of counsel for the plaintiffs in error.

161. John T. Shomer, vs. Plaintiff in Error. The Commonwealth of Pennsylvania. The argument of this cause was commenced by Mr. E. B. Sherrill, of counsel for the plaintiff in error, continued by Mr. Guy E. Farquhar and Mr. C. E. Bergen, of counsel for the defendant in error, and concluded by Mr. William Wilhelm, of counsel for the plaintiff in error.

283. Webster Coal and Coke Co., vs. Petitioner. A. J. Cassatt et al.

284. and Pennsylvania Coal and Coke Co., vs. Petitioner. A. J. Cassatt et al. The argument of these cases was commenced by Mr. John W. Griggs, of counsel for the petitioners.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Tuesday, October 29th, 1907.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James Hamilton Lewis, it is ordered that William Dillon and Elbridge Hanecy, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. M. Stockslager, it is ordered that Frederick Flower Duetsch, Esquire, of Temple, Oklahoma Territory, be admitted to practice as an attorney and counsellor

of this Court, and he was sworn accordingly.)

Arizona Eastern Railroad Co., Appellant,
vs.
Phoenix & Eastern Railroad Co. et al.

Appeal from the Supreme Court of the Territory of Arizona.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now hereordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed.

- per Mr. Chief Justice Fuller.

Evalyn S. Strauss, formerly Evalyn S. Towne,
Appellant,
vs.
Joseph M. Coleman et al.

Appeal from the Court of Appeals of the District of Columbia.

It appearing to the Court that a motion of counsel for appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

- per Mr. Chief Justice Fuller.

282 Webster Coal & Coke Co., Petitioner
vs.
A. J. Cassatt et al.
and
283 Pennsylvania Coal & Coke Co., Petitioner
vs.
A. J. Cassatt et al.

The argument of these cases was continued by Mr. John W. Griggs, of counsel for the petitioners, Mr. John G. Johnson, of counsel for the respondents, and concluded by Mr. John W. Griggs, of counsel for the petitioners.

293 William Adair, Plaintiff in Error,
vs.
The United States

The argument of this cause was commenced by Mr. Benjamin D. Warfield, of counsel for the plaintiff in error, and continued by Mr. William R. Day and Mr. Attorney General Bonaparte, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes,
William R. Day,
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Bonaparte, it is ordered that Edward Ridley Finch, Esquire, of New York City, and Harlow A. Lockey, Esquire, of Muscogee, Indian Territory, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hector T. Fenton, it is ordered that Henry Darrach, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney

sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. B. K. Pettingill, it is ordered that Harry P. Leake, Esquire, of Ponce, Porto Rico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

William Adair,
278 vs. Plaintiff in Error
The United States.

The argument of this cause was continued by Mr. Attorney General Bonaparte, of counsel for the defendant in error, and concluded by Mr. Benjamin D. Warfield, of counsel for the plaintiff in error.

American Tobacco Co.,
78. vs. Plaintiff in Error,
Emil Werckmeister
and
Emil Werckmeister,
79 vs Plaintiff in Error
American Tobacco Co.

These cases were argued by Mr. William A. Jenner, of counsel for the American Tobacco Company, and Mr. Antonio Knauth, of counsel for Werckmeister.

Mrs William F. Hardwick et al,
80 vs. Plaintiffs in Error,
Collins wood Lumber Company.

This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. John W. Shackelford, of counsel for the plaintiffs in error and Mr. John B. Jones and Mr. William L. Terry, of counsel for the defendant

James E. Kent,
31. vs. Plaintiff in Error.
The People of Porto Rico

The argument of this cause was commenced by Mr. N. B. K. Pettingill, of counsel for the plaintiff in error.

Proclamation being made, the Court is ad

Thursday, October 31st, 1895

Pursuant to adjournment the Court met today, at the Capitol.

Present:

The Honorables Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer,
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day.
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Lorenzo G. Disney, it is ordered that William H. Harrison, Esquire, of Potsdam, Indian Territory be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William Molloy et al.,
vs. Plaintiffs in Error,
Creel Brown et al.

On motion of Mr. A. B. Browne, of counsel for the defendants in error,

It is ordered by the Court that this cause be, and the same is hereby, passed temporarily

James E. Kent:
vs. Plaintiff in Error;
The People of State New-

The argument of this cause was concluded by Mr. N. B. K. Pettingill, of Counsel for the plaintiff in error, and the cause was submitted on printed argument by Mr. Isaac Fowille, of Counsel for the defendant in error.

Mary V. Cortelyou et al.,
Administrators, &c. et al.,
vs. Petitioners
Charles Ennis Johnson et al.

The argument of this cause was commenced by Mr. S. D. Edmonds, of Counsel for the petitioners continued by Mr. Francis J. Chambers, of Counsel for the respondents and Mr. Emmons Yelverton, of Counsel for the petitioners.

Proclamation being made, the Court is adjourned

Friday, November 4th 1904

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. E. F. Colladay, it is ordered that Joseph H. Gill, and Orion L. Rider, Esquires, of Vinita, Indian Territory, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

42. William Conners, Jr., Plaintiff in Error, vs. The United States.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. W. M. Tomkins, of counsel for the plaintiff in error

33.

with leave to counsel for defendant in error to file a brief within ten days:

Mary V. Cortelyou et al.,
Administrators, etc. et al.,
vs Petitioners
Charles Emm Johnson et al.

petitioners.

The argument of this cause was concluded by Mr. Edmund Wetmore, of counsel for the

George Desloris et al.,
vs. Petitioners
Compagnie Generale
Transatlantique

This cause was argued by Mr. J Parker Kirlin, of counsel for the petitioners, and Mr. Edward K. Jones and Mr. William G. Choate, of counsel for the respondent.)

Proclamation being made, the Court is ad

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes,
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Associate Justices

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Victor H. Wallace, it is ordered that Percy Metzger, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert S. Hume, it is ordered that Charles P. Hine, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and

On motion first made to the Court in this behalf by Mr. Brode B. Davis, it is ordered that Rush C. Butler, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. B. Northrop, it is ordered that Alexander A. Lawrence, Esquire, of Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Interstate Consolidated Street Railway Company, Plaintiff in Error, vs. The Commonwealth of Massachusetts.

In Error to the Superior Court of the State of Mass.

13

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

Mr. Justice Harlan specially concurring.

Mr. Justice Moody, having been of counsel, did

Seaboard Air Line Railway
15 vs. Plaintiff in Error,
A. L. Seegers, as W. B. Seegers, doing business as Seegers Bros.

In Error
Supreme C
of the State
South Caro

This cause came on to be heard on the tra
of the record from the Supreme Court of th
of South Carolina, and was argued by cou
On consideration whereof, It is now hereb
and adjudged by this Court that the jud
of the said Supreme Court, in this cause, be
the same is hereby affirmed with costs.

Per Mr. Justice Brewer,

Dissenting:
Mr. Justice Peckham.

Frederick L. Grant Shoe Co.,
bankrupt,
250 vs. Plaintiff in Error,
W. M. Laird Co., of Pittsburg, Pa.

It is ordered
the Court th
the further
sideration o
motion to di

in this cause, be, and the same is hereby, pos
until the hearing of the cause on the merit

Per Mr. Chief Justice Fuller.

Hammond Packing Co.,
271. vs. Plaintiff in Error,
The State of Arkansas.

On consider
of the motion
advance this
It is now here

ded by the Court that said motion be, an

assigned for argument on Monday, February 24, 1908.

Per Mr. Chief Justice Fuller.

Samuel Pecora & Ralph Laighton & Charles C. Sanford, Jr. Petitioners
vs.
James Hamilton, Jr.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

1463

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Mrs. W. T. Hardin et al.,
vs. Plaintiffs in Error,
Cottonwood Lumber Co.

In Error to the Supreme Court of the State of Arkansas.

30.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

	Rachmiel C. Foster,	In Error to t
1131	vs. Plaintiff in Error,	Supreme Court
	William Rowe, impleaded	the State of W
	with Ralph Arnold, as	consin.
	Village Clerk, &c.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Chase

	The United States of America,	It is now
5 Original	vs. Complainant,	ordered by
	J. T. Shipp et al.	Court that
		Mr. James D

the Commissioner appointed by this Court take and return the testimony in this ca be; and he is hereby allowed the sum of $500.00 in full for his compensation and expenses, and that said sum be paid by the complainant herein.

Per Mr. Chief Justice Chase

Order.

On the application of the Clerk, pursuant to section 671 of the Revised Statutes, It is ordered that James D. Maher be, and he is hereby, appointed Deputy Clerk of this Court; vice Charles B. Beall, resigned

per Mr. Chief Justice Fuller.

I, James D. Maher, being appointed a Deputy Clerk of the Supreme Court of the United States, do solemnly swear that I will truly and faithfully enter and record all the orders, decrees, judgments and proceedings of the said Court; and that I will faithfully and impartially discharge and perform all the duties of my said office according to the best of my abilities and understanding So help me God.

James D. Maher

Subscribed and Sworn to before me this 18th day of November, A. D. 1907.

Melville W. Fuller,
Chief Justice of the United States.

356 The United States, Plaintiff in Error vs. Adrian H. Lorsing, intervenor and claimant, &c.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on

A. G. Dustin in support of the same, and by Mr. Ass't. Attorney General Sanford and Mr. Solicitor General Hoyt in opposition thereto.

358. The Blythe Company vs. Plaintiff in Error
Bankers Investment Co. et al.

The motion that the mandate in this cause issue at once was submitted to the consideration of the Court by Mr. T. D. McKenney, in support of the same, and by Mr. S. M. Stockslager in behalf of counsel for the plaintiff in error, in opposition thereto.

Erie Railroad Company vs. Petitioner
Mary E. Kane, Admx &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William E. Cushing in support of the same, and Mr. George L. Arnel in opposition thereto.

311. Marcus A. Bitterman et al. vs. Petitioners
Louisville & Nashville R. R. Co.

The cause was argued by Mr. Louis Marshall, of counsel for the petitioners, and Mr. J. P. Blair and Mr. Brode B. Davis, of counsel for the respondent.

Proclamation being made, the Court is

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes,
William R. Day,
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. F. D. McKenney, it is ordered that Henry E. Davis, Esquire, of Florence, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George D. Reynolds, it is ordered, Eugene C. Rives, Esquire, of St. Louis, State of Missouri be admitted to practice as an attorney

On motion first made to the Court in this behalf by Mr. E. T. Colladay, it is ordered that Charles M. Williams, Esquire, of Hutchinson, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 93

On motion first made to the Court in this behalf by Mr. J. W. Warrington, it is ordered that Murray Seasongood, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Bates, it is ordered that William M. Madden, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 95.

358 The Blythe Company, vs. Plaintiff in Error. Bankers Investment Co. et al. On consideration of the motion in this cause that the mandate issue at once, It is now here ordered by the Court that said motion be, and the same is hereby granted. 36

Per Mr. Chief Justice Fuller.

Govan Beard,
vs. Plaintiff in Error,
The State of Arkansas. In Error to the Supreme Court of the State of Arkansas

It appearing to the Court from the suggestion by counsel for the plaintiff in error on file herein, that this cause has abated by reason of the death of the plaintiff in error, Therefore, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed.

per Mr. Chief Justice Chase

C. B. Boyce et al,
vs. Plaintiffs in Error.
The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. N. Blackwood, of counsel for the plaintiffs in error, and Mr. Attorney General Bonaparte, of counsel for the defendant in error.

Atlantic Coast Line R.R. Co.,
vs. Plaintiff in Error;
H. Wharton et al, Rail Road Commissioners &c. The argument of this cause was commenced by Mr. P. A. Willcox, of counsel for the plaintiff in error, continued by Mr. M. C. Woods, of counsel for the defendants in error, and concluded by Mr. T. D. McKenney, of counsel for

38. Ozan Lumber Company, vs. Union County National Bank of Liberty, Ind. T. Petitioner

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. U. M. Rose and Mr. J. B. McKee, of counsel for the petitioner, and Mr. Morris M. Cohn, of counsel for the respondent.

39. The People of the State of New York, ex rel. Edward Gu. John Burke, Ltd., vs. James L. Wells, et al., Commissioners, &c. Plaintiff in Error,

The argument of this cause was commenced by Mr. Edmund Wetmore, of counsel for the plaintiff in error, and continued by Mr. George S. Coleman, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Rush Taggart, it is ordered that T. Hart Anderson, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Thurston, it is ordered that Robert B. Brown, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and a counsellor of this

Commonwealth of Virginia, Complainant,
vs.
State of West Virginia

On motion of Mr. Holmes Conrad, of counsel for the complainant, leave is hereby granted to file replication thereto.

John A. Curtin, Trustee, Appellant,
vs.
Gertrude F. Isodine

On motion of Mr. J. A. Sherburne, Jr., of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, passed for settlement.

People of the State of New York, ex rel. Edward Mc John Burke, Ltd., Plaintiff in Error
vs.
James L. Wells, et al., Commissioners etc.

The argument of this case was continued by Mr. George S. Coleman, of counsel for the defendants in error, and concluded by Mr Edmund Wetmore, of counsel for the plaintiff in error.

Walash Railroad Company, Plaintiff in Error
vs.
The Adelbert College of the Western Reserve University et al.

The argument of this cause was commenced by Mr Rush Taggart of counsel for the plaintiff in error, and continued by Mr. John W. Warrington, of counsel for defendant in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court on this behalf by Mr. William C. Prentiss, it is ordered that Samuel L. Kingan, Esquire, of Tucson, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

W. J. Warder et al,
vs. Plaintiffs in Error,
Frank B. Cotton, Individually &c.

Mr. Waller B. Grant, of counsel for the defendant in error suggested the death of Frank B. Cotton, the defendant in

William C. Cotton and Walter B. Grant, independent executors of the estate of the said Frank B. Cotton, deceased, the parties defendants in error in this cause. Whereupon, It is now here ordered by the Court that the said William C. Cotton and Walter B. Grant, independent executors of the estate of Frank B. Cotton, deceased, be, and they are hereby made the parties defendants in error in this cause.

The Wabash Railroad Co.,
vs. Plaintiff in Error,
The Adelbert College of the Western Reserve University et al

The argument of this cause was continued by Mr. John N. Abbington, of counsel for defendants in error, and concluded by Mr. Rush Taggart, of counsel for plaintiff in error.

Heath & Milligan Manufacturing Company et al,
41. vs. Appellants,
J. H. Worst, Director, &c

The argument of this cause was commenced by Mr. Sigmund Zeisler, of counsel for the appellants, and continued by Mr. John J. Watson, of counsel for the appellee.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer,
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna, Justices
Oliver Wendell Holmes,
William R. Day
William H. Moody,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. H. S. Woodard, it is ordered that John H. Cotteral, Esquire, of Guthrie, Oklahoma Territory, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. A. C. Malloy it is ordered that Howard S. Lewis, Esquire, of Hutchinson, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

141 Leah and Milligan Manufacturing Co., et al., vs. Appellants, J. H. Worst, Director. The argument of this cause was continued by Mr. John J. Watson, of counsel for the appellee, and concluded by Mr. Sigmund Zeisler, of counsel for the appellants.

143 Sarah Chunn, vs. Plaintiffs in Error, The City & Suburban Railway of Washington. The argument of this cause was commenced by Mr. Percy Metzger, of counsel for the plaintiff in error, continued by Mr. Charles A. Douglas and Mr. George P. Hoover, of counsel for the defendant in error, and concluded by Mr. Victor A. Wallace, of counsel for the plaintiff in error.

144 The United States, vs. Appellant, R. P. Andrews & Co. The argument of this cause was commenced by Mr. Assistant Attorney General Van Orsdel, of counsel for the appellant.

Proclamation being made, the Court is adjourned until Monday next at [illegible]

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William A. Moody, Associate Justices
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court adjourned.

On motion first made to the Court in this behalf by Mr. Charles Earl, it is ordered that Edward Mahin, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis A. Pradt, it is ordered that James M. Townsend, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was

Grace A. Louthe, Executrix of Samuel H. Louthe, deceased, Plaintiffs in Error, vs. Edward L. Thomas. No. 71. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Holmes

Dissenting:
Mr. Justice Harlan and
Mr. Justice Day.

James A. Chapman as Trustee in bankruptcy of the estate of Alfred McCoy, Appellant, vs. Abner D. Bowen. No. 115. Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the

The United States,
356. vs. Plaintiff in Error,
Adrian H. Lardial, Executor

It is ordered by the Court that the further consideration of the motions to dismiss or affirm, in this cause, be and the same is hereby postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller

Erie Railroad Company,
484. vs. Petitioner,
Mary E. Kane, Admx. of the estate of Thomas M. Kane, deceased

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

C. B. Boyett, Joe Bromley,
Lee Bromley, et al.,
33 vs. Plaintiffs in Error,
The United States

In Error to the District Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript

United States for the Eastern District of Arkansas and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby remanded to the said District Court with a direction to sustain the motion in arrest of judgment.

Per Mr. Chief Justice Chase.

112 William Conners, Jr., Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Wisconsin and was argued by Counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Chase.

114 Henry T. Anderson, Appellant vs. Andrew Jarvis. Appeal from the Supreme Court of the Territory of Arizona.

It appearing to the Court that a motion

appeal has been filed. Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court; that this appeal be, and the same is hereby, dismissed with costs.

Per Mr Chief Justice Fuller.

116 Henry T. Anderson, Appellant, vs. Andrew J. Zaring

It is ordered by the Court that the mandate in this cause issue at once.

390 United States, Plaintiff in Error vs. Edward L. Thomas

Mr. Attorney General Bonaparte, of Counsel for the plaintiff in error submitted to the consideration of the Court a motion to advance this cause.

51 Charles T. Cherry, Rec'r &c., Plaintiff in Error vs. The City National Bank of Kansas City, Missouri

Mr. Chas B. Ames of Counsel for the plaintiff in error suggested the resignation of Charles T. Cherry, and the appointment of George C. Rankin as his successor as receiver of the Capitol National Bank of Guthrie, Oklahoma Territory, and moved the Court, in pursuance of a stipulation of counsel, that the said George C. Rankin as such receiver be made the party plaintiff

Now here ordered by the Court that the said George C. Rankin as receiver, as aforesaid, be, and he is hereby, made the party plaintiff in error in this cause.

St. Paul, Minneapolis & Manitoba Railway Company et al., Plaintiffs in Error,
1425 vs. State of Minnesota ex rel. City of Minneapolis

Mr. Frank Healy, of Counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause for argument, immediately after case No 92.

Arnold, Louchheim & Co., et al., Petitioners,
1443 vs.
James Watson Boyd.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. A. C. Prendergast in support of the same.

Estill County, Kentucky, Petitioner
91 vs.
Fallon & Embry

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles W. Friend in support of the same, and Mr. Harry L. Gordon in opposition thereto.

Ex parte: In the matter of Daniel Gallagher and Francis S. Reisenberg. Petitioners

Ex parte: In the matter of Joseph Konrad, individually, and as Heir of Conrad Plaunousky, deceased, Petitioner

Mr. Roger Foster, of counsel for the petitioners, submitted to the consideration of the Court motions for leave to file petitions for writs of mandamus herein

362 The New York Continental Jewell Filtration Company, vs. Plaintiff in Error, Mary E. Nettleship.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. B. Sherrill and Mr. Charles A. Douglas in support of the same, and Mr. James H. Hayden in opposition thereto.

491 Great Northern Railway Co., vs. Petitioner, The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. R. Begg, Mr Rome G. Brown and Mr. C. D. Albert in support of the same, and Mr. Assistant to the Attorney General Purdy in opposition thereto

Monday, November 11th, 1907, Continued.

114 The United States, Appellant, vs. R. C. Andrews & Company.

The argument of this cause was concluded by Mr. Assistant Attorney General Van Orsdel, of counsel for the appellant, and the case was submitted on printed argument by Mr. A. A. Hochling, Jr., of counsel for the appellees.

43 Thomas Polk et al., vs. Mutual Reserve Fund Life Association of New York et al.

This cause was argued by Mr. William Hepburn Russell, of counsel for Polk et al, and Mr. Frank H. Platt, of counsel for the Mutual Reserve Fund Life Association of New York et al.

44 Oregon Short Line R. R. Co., vs. Plaintiff in Error, Adda McManus, for herself, etc.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. M. L. Clardy, and Mr. J. D. Howe, of counsel for the plaintiff in error, and Mr. Wm. C. Marshall and Mr. Henry W. Bond, of counsel for the defendant in error.

47. W. J. Wardwell et al., vs. Plaintiffs in Error, William C. Cotton and Walter B. Grant, Executors &c. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. Seymour Thurmond, of counsel for the plaintiffs in error, and Mr. Walter B. Grant, of counsel for the defendants in error.

49. Henry O. Houghton, Trustee &c., vs. Appellants George B. Cortelyou, Postmaster General &c. Mr. William S. Hall, of counsel for the appellants, moved the Court to make George von L. Meyer, the successor in office of George B. Cortelyou as Postmaster General, the party appellee in this cause. Whereupon, It is now here ordered by the Court that the said George von L. Meyer, Postmaster General, be, and he is hereby, made the party appellee in this cause.

The Chief Justice announced that the Court will take a recess from Monday, the 18th instant, to Monday, December 2, next.

Proclamation being made, the Court is ad

Tuesday, November 12th, 1907.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Wm. E. H. Colladay, it is ordered that Max Pam, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

55. Modesto Muniz Aguirre, Appellant, vs. Sobrinos de Egguiagar — Appeal from the Supreme Court of Porto Rico

This cause having been called for hearing in

Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

Hunter M. Merriweather, et al., Plaintiffs in Error,
237. vs.
Annie B. Woodward.

On motion of Mr. James Dasler, of counsel for the plaintiffs in error, It is ordered by the Court that this cause be, and the same is, hereby, continued until the next term.

Henry O. Houghton, Trustee, et al.,
117. vs. Appellants.
George von L. Meyer, Postmaster General.

The argument of this cause was commenced by Mr. William A. Hall, of counsel for the appellants, continued by Mr. Henry A. Glassie, of counsel for the appellee, and concluded by Mr. Holmes Conrad, of counsel for the appellants.

91 George C. Rankin, Receiver &c, vs. Plaintiff in Error,
The City National Bank of Kansas City, Mo

The argument of this cause was commenced by Mr. Co. B. Ames, of Counsel for the plaintiff in error, and continued by Mr. John A. Eaton, of Counsel for the defendant in error.

Proclamation being made, the Court is ad-

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John G. Dillon, it is ordered that Hanson C. Coxe, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred. Brace, it is ordered that Robert T. Lang, Esquire, of Washington, District of Columbia, be admitted to prac-

Wednesday, November 13th, 1907 continued.

this Court, and he was sworn accordingly.

51 George G. Rankin, Receiver &c., vs. The City National Bank of Kansas City, Mo. (Plaintiff in Error

The argument of this cause was continued by Mr. John A. Eaton of counsel for the defendant in error, and concluded by Mr. C. B. Ames, of counsel for the plaintiff in error.

53 & 54 The Water, Light & Gas Co., vs. The City of Hutchinson et al. Appellant.

On motion of Mr. Max Pam, of counsel for the appellees, leave is hereby granted to three counsel to make oral argument on behalf of appellees. The argument in these cases was commenced by Mr. John F. Dillon, of counsel for the appellants, continued by Mr Max Pam, Mr. C. M. Williams and Mr. A. C. Malloy, of counsel for the appellees, and concluded by Mr. Frank Dosker, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in his behalf by Mr. J. A. Forest, it is ordered that William L. Pannenter, Esquire, of Lima, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

55 Alaska Commercial Co. et al., Plaintiffs in Error,
vs.
George N. Melson et al.

This cause was argued by Mr. William A. Gorham, of counsel for the plaintiffs in error, and Mr. John

No. The Arkansas Southern Railroad Company et al, vs. The Germania National Bank. (Plaintiffs in Error.

The argument of this cause was commenced by Mr. Edward B Pierce, of Counsel for the plaintiffs in error, and continued by Mr John Fletcher, of Counsel for the defendant in error.

Proclamation being Made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened,

On motion first made to the Court in this behalf by Mr. Frederick D. Tyler, it is ordered that Benjamin Howe Conner, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Arkansas Southern Railroad Company et al., Plaintiffs in Error, vs. The German National Bank. No. 56.

The argument of this cause was continued by Mr. John Fletcher, of counsel for the de-

E. B. Prince, of counsel for the plaintiffs in error.

57. Elbert Balch, Admr &c., vs. Wabash Railroad Company. Plaintiff in Error. This cause was argued by Mr. George C. Ells, of counsel for the plaintiff in error, and Mr. Frederick D. McKenney of counsel for the defendant in error.

67. E. L. Vail, et al., Supervisors, &c., vs. The Territory of Arizona. Appellants. This cause was argued by Mr. Samuel L. Kingan, of counsel for the appellants, and Mr. William C. Prentiss, of counsel for the appellee.

Proclamation being made, the Court is adjourned until Monday next at ten o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened,

On motion first made to the Court in this behalf by Mr. E. St. Clair Thompson, it is ordered that Robert L. Noble, Esquire, of Corsicana, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. A. Van Orsdel, it is ordered that Frederick A. Fenning, Esquire, of Washington, District of Columbia, be ad-

Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Lipscomb, it is ordered that George N. Pound, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Heber J. May, it is ordered that Eugene Hale, Esquire, of St. Louis State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isaac B. Crosthwaite, it is ordered that J. Jerome Hahn, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Elizabeth M. Chambers, Plaintiff in Error,
vs. In Error to the
The Baltimore & Ohio Supreme Court of
Railroad Company. the State of Ohio.

This cause came on to be heard on the transcript

State of Ohio; and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Moody.

Dissenting:
Mr. Justice Harlan
Mr. Justice White and
Mr. Justice McKenna

D. Hunter, Jr., Robert N. Cochrane, John A. Sauer, Herman W. Heckman and The City of Allegheny, Plaintiffs in Error,
264. vs
The City of Pittsburgh

In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Moody.

No 55 The Central of Georgia Ry Co., vs William A. Wright, Comptroller General of Georgia and John N. Nelms, Sheriff of Tallulah Co. (Plaintiff in Error) In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Day.

No 56 The Georgia Railroad and Banking Company, vs. William A. Wright, Comptroller General of Georgia and John N. Nelms, Sheriff of Tulare Co. (Plaintiff in Error) In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the

same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Day.

William T. D. Taylor, Petitioner
238 vs. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit
The United States.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York with directions to enter judgment for the defendant.

Per Mr. Justice Holmes.

The United States, In Error to the Circuit
1404 vs. Plaintiffs in Error Court of the United States for
Neil Macdonald, the Eastern District of [illegible]

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed.

per Mr. Justice Holmes.

James E. Kent.
91 vs. Plaintiff in Error,
The People of Porto Rico

In Error to the Supreme Court of Porto Rico.

This cause came on to be heard on the transcript of the record from the Supreme Court of Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice White.

The People of the State of Illinois,
ex rel. John McNichols,
19 vs. (Plaintiff in Error)
James Pease, Sheriff of Cook County, &c.

In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered,

of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan

Ex parte: In the matter of Francis S. Reisenberg and Daniel Gallagher, Petitioners. 11 Original.

On consideration of the motion for leave to file the petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller

Ex parte: In the matter of Francis S. Reisenberg and Daniel Gallagher, Petitioners. 11 Original.

On consideration of the petition herein, It is now here ordered by the Court that cause be shown by the Honorable E. Henry Lacombe, Circuit Judge of the United States for the Second Circuit and for the Southern District of New York, and the Circuit Court of the United States for the Southern District of New York before this Court, at the City of Washington, on Monday, December 2, 1907, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Ex parte: In the Matter of Joseph Conrad, individually (and as Administrator of Pauline Plawoska, deceased, Petitioner.

On consideration of the motion for leave to file the petition for a writ of mandamus

herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Ex parte: In the Matter of Joseph Conrad, individually (and as Administrator of Pauline Plawoska, deceased, Petitioner.

On consideration of the petition herein, It is now here ordered by the Court that cause be shown by the Honorable E. Henry Lacombe, Circuit Judge of the United States for the Second Circuit and for the Southern District of New York, and the Circuit Court of the United States for the Southern District of New York before this Court at the City of Washington, on Monday, December 2, 1907, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard; why the prayer of said petition should not be granted.

Per Mr. Chief Justice Fuller.

191 Estill County, Kentucky, Petitioner, vs. Fallon Embry. On petition for writ of certiorari to the United States Circuit Court of Appeals 6th Cir.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

390 The United States, Plaintiff in Error, vs. Edward S. Thayer. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 24th, 1900, after the case heretofore assigned for that day.

per Mr. Chief Justice Fuller

425 St. Paul, Minneapolis & Manitoba Railway Co, et al, Plaintiffs in Error, vs. The State of Minnesota ex rel. City of Minneapolis. On consideration of the motion to advance this cause for argument after case No. 92, It is

be and the same is hereby, denied.
per Mr. Chief Justice Fuller

Arnold Louchheim & Company et al.,
1143 vs. (Petitioners)
James Watson Boyd

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Cir.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.
per Mr. Chief Justice Fuller

Great Northern Railway Company,
491. vs. (Petitioner,)
The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.
per Mr. Chief Justice Fuller

Great Northern Railway Co,
1191. vs. Petitioner
The United States.

It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Monday, January 6th, 1908.

Per Mr. Chief Justice Fuller.

The New York Continental Jewell Filtration Company,
362. vs. Plaintiffs in Error,
Mary E. Wynkoop.

In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

W. J. Warder, T. J. Austin and J. E. Terry,
47. vs. Plaintiffs in Error,
William C. Collins and Wallis B. Grant, Independent Executors of Frank B. Collins, deceased.

In Error to the Circuit Court of the United States for the Western District of Texas.

transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

356 The United States, Plaintiff in Error, vs. Adrian H. Lawlins, Interpleader, &c. Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Ex parte: In the matter of Ephraim Swinton, Petitioner. Mr. Henry L. Lozarus, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for writs of habeas corpus and certiorari herein.

No. 111 White-Smith Music Publishing Co., Appellant vs. Apollo Company. On motion of Mr George W. Pound, of counsel for De Kleist Musical Instrument Manufacturing Company and the Rudolph-Wurlitzer Company, leave

herein as amicus curiae on the side of the appellee.

426 Jacob Bassing, Plaintiff in Error, vs. Philo V. Cady, Sheriff, &c. Mr. J. Jerome Hahn, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

488. James R. Jellon, Revenue Agent, &c., et al., Appellants, vs. University of the South. Mr. Charles T. Bates, Jr., of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

231. The Kansas City Northwestern Railroad Company, Appellant, vs. Frederick Zimmerman, Administrator of L. Zimmerman, deceased. Mr. Frederick D. McKenney, in behalf of counsel for the appellee, suggested the death of Frederick Zimmerman, and the appointment of E. A. Kelly as administrator de bonis non of the estate of L. Zimmerman, deceased, and moved the Court to make the said E. A. Kelly, as such administrator, the party appellee herein. Whereupon, It is now here ordered

administrator de bonis non of the estate of L. Zimmerman, deceased, be, and he is hereby, made the party appellee in this cause.

Proclamation being made, the Court is assumed

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Bonaparte, it is ordered that Edgar C. Gerwig, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward T. Young, it is ordered that Royal A. Stone, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court,

On motion first made to the Court in this behalf by Mr. J. F. McKee, it is ordered that George W. Meyer, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Freedom Hutchinson, it is ordered that Albert A. Hutchinson, Esquire, of Newton, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that Francis M. Frazer and Charles Edwin Scott, Esquires, of Bryan, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chester I. Long, it is ordered that A. J. Biddison, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marion Erwin, it is ordered

Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Wilson, it is ordered that William White McDowell, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John N. Beach, it is ordered that John H. Light, Esquire, of South Norwalk, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

(Omission - See page 1874.)

On motion first made to the Court in this behalf by Mr. Frederick R. Coudert, it is ordered that Morgan M. Mann, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. L. Isaacs, it is ordered that Thomas C. Spelling, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn

On motion first made to the Court in this behalf by Mr. George A. Lamar, it is ordered that George C. Bulle, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Edward Francis Treadwell, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

113 Sarah Chumm, Plaintiff in Error, vs. The City & Suburban Railway of Washington. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause, be, and the same is hereby reversed, with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and remand

aside the verdict and award a new trial.
(per Mr. Justice Moody.)

145. Thomas Toler, William H. Moody, James L. Long et al., vs. Mutual Reserve Fund Life Association of New York and Mutual Reserve Life Insurance Co. On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the questions certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the United States Circuit Court of Appeals.
(per Mr. Justice Moody.)

28 American Tobacco Co., vs. Emil Wertheimer. Plaintiff in Error, In Error to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and ad-

of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice Day.

56. The Arkansas Southern Railroad Company (Wm. Hugo C. Griffith), vs. The German National Bank, Plaintiffs in Error, } In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Holmes.

57. Elbee Paleh, Administrator de bonis non of the estate of Charles N. Mason, deceased, vs. Wabash Railroad Company, Plaintiff in Error, } In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to remand the cause to the Circuit Court of Sangamon County, Illinois.

Per Mr. Justice Holmes.

87. Bank of Kentucky, National Bank of Kentucky, Oscar Tenley, & Edwin W. Hays, vs. Plaintiffs in Error, The Commonwealth of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

Henry M. Earle, Administrator de bonis non with the will annexed of William E. Earle, deceased,

12. vs. Appellant,

Percy Myers and John J. Hamilton, Administrators de bonis non with the will annexed of James A. Causten, deceased.

Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Peckham.

37.

Henry M. Earle, Administrator de bonis non cum testamento annexo of William E. Earle, deceased,

258 vs. Appellant

Percy Myers and John J. Hamilton, Administrators de bonis non cum testamento annexo of James A. Causten, deceased.

Appeal from the Court of Appeals of the District of Columbia.

This

the record from the Court of Appeals of the District of Columbia, and was argued by counsel On consideration whereof It is now here ordered adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Peckham

Hazard Lumber Company, Petitioner, vs. Union County National Bank of Liberty, Indiana. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, and the judgment of the Circuit Court of the United States for the Western District of Arkansas, in this cause be, and the same are hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings not inconsistent with the

141. The United States, Appellant; vs. R. P. Andrews & Company. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, affirmed.

per Mr. Justice White.

34. Marcus K. Bitterman, Julius Mehlig and Charles T. Nelson, Petitioners, vs. Louisville & Nashville Railroad Company. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Louisiana.

per Mr. Justice White.

Mary V. Corlelyon [illegible] James G. Corlelyon, Administrators of the estate of John G. Corlelyon, deceased, et al.,
32. vs. (Petitioners
Charles Ewen Johnson [illegible]

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, ad, adged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice Brewer.

E. L. Vail, Phil S. Hughes, and C. J. Richardson, as Supervisors of Pima County, Arizona,
67. vs. Appellants,
The Territory of Arizona

Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel.

dered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

John L. Shoemer, Plaintiff in Error,
vs. In Error to the
The Commonwealth of Supreme Court of
Pennsylvania. the State of
Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Harlan.

Webster Coal & Coke Co., On writ of certiorari
283 vs. Petitioner to the United States
A. J. Cassatt, John B. Circuit Court of
Thayer, Charles E. Pugh Appeals for the Third
et al., Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now

the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with a direction to dismiss the writ of error.

per Mr. Chief Justice Fuller.

Pennsylvania Coal Co. & Cox & Co., On writ of certiorari
284. vs. Petitioner, to the United States
A. J. Cassatt, John B. Thayer, Circuit Court of Appeals
Charles E. Pugh et al. for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with a direction to dismiss the writ of error.

per Mr. Chief Justice Fuller.

Oregon Short Line Railroad Company,
116. vs. Plaintiff in Error,
Adda McManus for herself and as next friend of John Kelley McManus.

In Error to the St. Louis Court of Appeals of the State of Missouri.

This cause came on to be heard on the transcript of the record from the St. Louis Court of Appeals of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Alaska Commercial Company
and The United States Fidelity and Guaranty Company,
55 vs. Plaintiffs in Error,
George A. Melsey, Strauss & Howard and John Conway.

In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Monday, December 2d, 1907, continued.

Ex parte: In the matter of Ephraim Simon. Petitioner. On consideration of the motion for leave to file a petition for writs of habeas corpus and certiorari herein,

13 Original

It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr Chief Justice Fuller.

Ex parte: In the matter of Ephraim Simon. Petitioner. On consideration of the petition of Ephraim Simon, It is

13 Original.

now here ordered by the Court that cause be shown by the Marshal of the United States for the Eastern District of Louisiana before this Court at the City of Washington, on Monday, January 6th, 1908, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

per Mr. Chief Justice Fuller.

The United States, Plaintiff in Error, vs. Adrian H. Lamkin, Interveenor, &c. On consideration of the motion to advance this cause, It is now here ordered by the Court

336.

that said motion be, and the same is hereby,

Monday, December 2d, 1907, continued:

on Monday, January 6th, 1908, after the cases heretofore assigned for that day.

- per Mr. Chief Justice Fuller.

1126. Jacob Bassuig, Plaintiff in Error, vs. Phila V. Cady, Sheriff &c. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on Monday, January 6th, 1908, after the cases heretofore assigned for that day.

- per Mr. Chief Justice Fuller.

488 James R. Jelton, Revenue Agent, &c, et al., Appellants, vs. University of the South. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on Monday, January 6th, 1908, after the cases heretofore assigned for that day.

- per Mr. Chief Justice Fuller.

Original. State of Louisiana, Complainant vs. James R. Garfield, Secretary of the Interior et al. The motion to dismiss the bill of complaint herein was

printed arguments by Mr. Attorney General Bonaparte, Mr Solicitor General Hoyt, and Mr. Henry E. Hunter in support of the same, and Mr George H. Lamar in opposition thereto.

116 Armour Packing Co, Petitioners vs. The United States
468 Swift & Company, Petitioners vs. The United States
469 Morris & Company, Petitioners vs. The United States
470 Cudahy Packing Co., Petitioners vs. The United States.

Mr. Attorney General Bonaparte, of counsel for the respondent, submitted to the consideration of the Court a motion to advance these cases.

Benjamin D. Greene and John T. Gaynor, Petitioners
505 vs.
The United States

The petitions for a writ of certiorari herein were submitted to the consideration of the Court by Mr. Frederic R. Coudert, Mr. Howard Taylor, and Mr. B. F. Tracy, of counsel for Benjamin D. Greene, and Mr. Alexander A. Lawrence, Mr. William Garrard, Mr. William W. Osborne and Mr. P. W. Meldrim, of counsel for John T. Gaynor, in support of the same, with leave to counsel for the respondent to file a printed brief in opposition thereto within ten days.

The Equitable Life Assurance Society of the United States,
30 vs. (Petitioner)
J. Willcox Brown

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Allan McCulloh, and Mr. William B. Hornblower in support of the same, and Mr. John K. Dos Passos, in opposition thereto.

Maestic Lovejoy Manufacturing Company,
506. vs. (Petitioner)
Marion A. Cazier

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. L. S. Bacon in support of the same.

Charles Ughbanks,
1135 vs. (Plaintiff in Error)
A. N. Armstrong, Warden, &c.

Mr. Frederick D. Tyler, on behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Haight & Freese Company,
507 vs. (Petitioner)
Anna L. A. Voiss, Admx. &c. et al.

The petitions for writs of certiorari and supersedeas herein were submitted to the consideration of the Court on printed argument by Mr. Albert J. Dire in support of the same.

D. Hunter, Jr. et al.,
26 vs Plaintiffs in Error,
City of Pittsburgh.

On motion of Mr. Edgar C. Townsend, in behalf of counsel, leave is hereby granted the clerk to issue the mandate in this case.

Dietrich Loewe et al.,
351 vs.
Martin Lawlor et al.

On motion of Mr. James C. Spelling, leave is hereby granted him to file a printed brief herein in behalf of the American Federation of Labor et al.

Thomas J. Hunter, Sheriff, &c.,
474 vs Appellant
James A. Wood.

Mr. Alfred P. Thom, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this case.

Ex parte: In the matter of
Edward T. Young,
10 Original Petitioner

A motion for leave to file a printed brief herein on behalf of the Public Service Commission of New York was submitted to the consideration of the Court by Mr. Edward B. Whitney, in support of the same, and Mr. James M. Beck in opposition thereto.

Ex parte: In the Matter of Edward T. Young, Petitioner

On motion of Mr. Walter D. Rines leave is hereby granted him to file a printed brief herein in behalf of the Southern Railway Company.

No. 1196. Grand Trunk Western Railway Company vs. William H. Gray. Petitioner,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George H. Kretzinger in support of the same, and Mr. John A. Brown in opposition thereto.

No. 153. The Chicago, Rock Island & Pacific Railway Company, vs. John Gibbs Plaintiff in Error,

In Error to the Supreme Court of the Territory of Oklahoma.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed without costs to either party; And it is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Oklahoma.

Jose Paraiso,
23. vs. Plaintiff in Error,
The United States

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. B. Browne and Mr Alexander Britton, of counsel for the plaintiff in error, and Mr. Solicitor General Hoyt and Mr Assistant Attorney General Russell, of counsel for the defendant in error.

Nicolas Arces,
192 vs. Plaintiff in Error,
The United States

In Error to the Supreme Court of the Philippine Islands.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the fourth rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed.

Per Mr Chief Justice Fuller.

State of Washington,
3 Original vs. Complainant,
State of Oregon.

On motion of Mr. John M. Thurston, in behalf of Counsel, It is ordered by the Court that this cause be, and the same is hereby, re assigned for argument on Monday,

assigned for that day.

Ex parte: In the matter of Edward T. Young, Petitioner
10 Original

It is ordered by the Court that two hours be allowed each side for the argument of this cause, and that three counsel be allowed to make oral arguments on behalf of the respondent.

Ex parte: In the matter of Edward T. Young.
10 Original. Petitioner

The argument of this cause was commenced by Mr. Thomas D. O'Brien, of counsel for the petitioner, and continued by Mr. C. W. Bunn and Mr. Jared Howe, of counsel for the respondent.

On motion first made to the Court in this behalf by Mr. Clarence R. Wilson, it is ordered that Arthur B. Williams, Esquire, of Battle Creek, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Proclamation being made, the Court is adjourned

Pursuant to adjournment the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas L. Sloan, it is ordered that Abram Chase, Esquire, of Fender, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Harr, it is ordered that John B. Coleman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Tuesday, December 3d, 1907, continued.

On motion first made to the Court in this behalf by Mr. C. L. Weems, it is ordered that Elmer E. Clevenger, Esquire, of Bellaire, State of Ohio be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

223 Frank de L. Carrington,
224 vs. Plaintiff in Error,
and The United States.
225

On motion of Mr. William R. Harr, of counsel for the defendant in error,

It is ordered that these cases be, and they are hereby, re assigned for argument on Monday, the 16th inst.

George Dick,
62 vs. Plaintiff in Error,
The United States.

This case was submitted to the consideration of the Court on the record and printed arguments by Mr. Frank E. Fogg, of counsel for the plaintiff in error; and Mr. Attorney General Bonaparte and Mr. William R. Harr, of counsel for the defendant in error.

Ex parte: In the Matter of
Edward T. Young,
16 Original Petitioner

The argument of this cause was continued by Mr. Jared How, of counsel for the respondent, Mr. Herbert S. Hadley, of counsel for the petitioner, Mr J. F. McGee, of

Mr. Edward J. Young in proprea persona.

964. Consolidated Rendering Co, vs. Plaintiff in Error,
The State of Vermont by Clarke C. Fitts, Attorney-General.

The argument of this cause was commenced by Mr. Albert S. Hutchinson of counsel for the plaintiff in error, and continued by Mr. Clarke C. Fitts, of counsel for the defendant in error.

* Ex parte In the matter of Edward J. Young, Petitioner.

On motion of Mr. Herbert S. Hadley, for the petitioner, leave is hereby granted to three counsel to argue this case orally for the petitioner.

Proclamation being made, the Court is adjourned

Wednesday, December 11th, 1907

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham — Associate
Joseph McKenna — Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Louis A. Pradt, it is ordered that Robert Luscombe, Esquire, of Milwaukee, State of Wisconsin be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Edward T. Young. Petitioner

10 Original

It is ordered by the Court that leave be, and the same is hereby, granted Wm. E. B. Whitney to file a brief herein as amicus curiae

The United States,
111 vs. Appellant
R. P. Anderson & Co.

On motion of Mr. A. A. Hoehling, Jr., of counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in this cause.

William F. Prosser,
64 vs Plaintiff in Error,
George L. [illegible]

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James A. Hayden and Mr. Robert C. Hayden, of counsel for the plaintiff in error, and Mr. B. I. Grosscup, of counsel for the defendant in error.

Consolidated Rendering Co.,
364 vs Plaintiff in Error,
The State of Vermont by
Clarke C. Fitts, Attorney General

The argument of this cause was continued by Mr Clarke C. Fitts, of counsel for the defendant in error, and concluded by Mr. Freedom Hutchinson, of counsel for the plaintiff in error.

Dietrich Loewe et al.,
389. vs.
Martin Lawlor et al.

The argument of this cause was commenced by Mr. James M. Beck, of counsel for Loewe et al., and continued by Mr. John A. Light and Mr. John H. Beach, of counsel for Lawlor et al.

Thursday December 5th, 1901

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Dick, it is ordered that Allen M. Cox and Mott G. Spaulding, Esquires, of Conneaut, Carmi A. Thompson, Esquire of Ironton and Earle Stewart, Esquire, of Springfield, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert C. Hayden, it is ordered that Robert Pennington, Esquire, of Wilmington, State of Delaware, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank P. Flint, it is ordered that Bernard P. Miller, Esquire, of Oakland, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that William A. Gett, Esquire, of Sacramento, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur L. Bates, it is ordered that Frank M. McClintock, Esquire, of Union City, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

389 Dietrich Loewe et al., vs Martin Saylor et al. The argument of this cause was continued by Mr. John K. Beach for Saylor et al, and concluded by Mr. Daniel Davenport for Loewe et al.

70 John M. Hennister,
vs. Plaintiff in Error,
The United States.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Solicitor General Hoyt and Mr. Assistant Attorney General Russell, of counsel for the defendant in error. No brief was filed for the plaintiff in error.

96 John Newton Williamson,
vs. Plaintiff in Error,
The United States.

The argument of this cause was commenced by Mr. Charles A. Keiquin, of counsel for the plaintiff in error, and continued by Mr. William R. Harr and Mr. Attorney General Bonaparte, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow at ten o'clock.

Pursuant to a adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Bonaparte, it is ordered that Rufus E. Foster, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

96 John Newton Williamson, Plaintiff in Error, vs. The United States.

The argument of this cause was concluded by Mr. Charles A. Douglas, of counsel for the plaintiff in error.

61 Amelia M. Holl, vs. Appellant, Samuel Murphy et al

The argument of this cause was commenced by Mr. William Frye White, of counsel for the appellant, continued by Mr. J. H. Everett, of counsel for the appellee, and concluded by Mr. John S. Jenkins, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. A. Van Orsdel, it is ordered that Raleigh Sheridan, Esquire, of Sharpsburg, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Kittredge, it is ordered that Porter J. McCumber, Esquire, of Wahpeton, S. E. Ellsworth, Esquire, of Jamestown, George W. Soliday, Esquire, of Carrington, State of North Dakota, and Robert S. Person, Esquire, of Howard,

as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward T. Sanford, it is ordered that John Burke Headley, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. H. Bouyngé, it is ordered that Curtis H. Hathaway, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Parker Kirlin, it is ordered that James Byrne, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. A. Ballinger, it is ordered that Frank Pierce, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly. 41

On motion first made to the Court in this behalf by Mr. F. M. Hatch, it is ordered that Walter F.

be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. T. Michener, it is ordered that Luther James, Esquire, of Hattiesburg, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Lamar, it is ordered that R. H. Todd, Esquire, of San Juan, Porto Rico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that W. C. Hellman, Esquire, of the Canal Zone, and William C. Kennedy, Esquire, of San Jose, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Heath & Milligan Manufacturing Co. et al, Appellants,
vs.
A. A. Worst, Director of the North Dakota Government Agricultural Experiment Station

Appeal from the Circuit Court of the United States for the District of North Dakota.

of the record from the Circuit Court of the United States for the District of North Dakota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

36. Atlantic Coast Line Railroad Co., Plaintiff in Error, vs. J. A. Wharton, B. L. Caughman, and John A. Earle, as Railroad Commissioners of the State of South Carolina. In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham.

Orig'l — State of Louisiana, Complainant, vs. James R. Garfield, Secretary of the Interior, et al. — It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed, without prejudice to the final hearing.

per Mr. Chief Justice Fuller.

33 — George Deslions et al, Petitioners, vs. La Compagnie Generale Transatlantique, Owners, &c. — On consideration of the petition for a cross-writ of certiorari herein, It is now here ordered by the Court that said petition be, and the same is hereby, granted, the record on file to stand as a return to the writ. It is further ordered that leave be, and the same is hereby, granted counsel to submit printed briefs on said cross-writ within fifteen days.

per Mr. Chief Justice Fuller.

435 — Charles Highbaugh's, Plaintiff in Error, vs. A. N. Armstrong, Warden, &c. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 20th, 1908.

467 Armour Packing Company, Petitioners, vs. The United States.
468 Swift & Company, Petitioner, vs. The United States.
469 Morris & Company, Petitioners, vs. The United States.
470 Cudahy Packing Co., Petitioners, vs. The United States.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument as one case on Monday, January 20th, 1908, after the case heretofore assigned for that day.

- per Mr. Chief Justice Fuller.

Thomas F. Hunter, Sheriff, &c., Appellant,
411 vs.
James H. Hood.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Wednesday, the 18th instant, at the head of the case for that day.

- per Mr. Chief Justice Fuller.

The Equitable Life Assurance Society of the United States, Petitioner
300 vs.
J. Willcox Brown

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit

of the argument of counsel thereupon had, as well in support of as against the same; It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller

Grand Trunk Western Railway Company, Petitioner
vs. On petition for writ of certiorari to the
496 William J. Craig United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Macbeth-Lovejoy Manufacturing Company. On petition for writ of certiorari to the United
506 vs Petitioner States Circuit Court of
Marion N. Cozier Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition

Monday, December 4th, 1905, continued.

507. Haight & Freese Co., vs. Petitioner, Anna L. A. Weiss Administratrix of the estate of Charles Weiss, deceased, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

44. The United States, vs. Appellant, The Montana Copper Co., Limited. On motion of Mr. Attorney General Bonaparte, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, passed for settlement.

517. Johnson & Johnson, vs. Petitioners, The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edward S. Hatch in support of the same, and Mr. Attorney General Bonaparte, Mr. Solicitor General Hoyt and Mr. Assistant Attorney General Sanford in opposition thereto.

The United States,
530 vs. Petitioners,
James A. Hoyt & Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Attorney General Bonaparte and Mr. Solicitor General Hoyt in support of the same, and Mr. Albert A. Washburn, Mr. J. Stuart Tompkins and Mr. Charles S. Seattle in opposition thereto.

The Rio Grande Dam & Irrigation Co., et al.,
vs. Appellants,
The United States.

Mr. Attorney General Bonaparte, of counsel for the appellee, presented the certificate of the Clerk of the Supreme Court of New Mexico herein, and submitted to the consideration of the Court a motion to docket and dismiss this cause pursuant to the 9th rule.

Ex parte: In the Matter of
Francis S. Reisenberg et al.,
11 Original Petitioners
and
Ex parte: In the Matter of
Joseph Konrad, undertaker, etc.
12 Original Petitioners

On motion of Mr. Frederic R. Coudert, of counsel for Paul Fuller, et al., Respondents, leave is hereby granted him to file a printed brief in these cases.

508 Demetrius M. Steward et al, Petitioners
vs.
American Law Company

and

509 Moritz Kirchberger et al. Petitioners,
vs
American Law Company.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Louis C. Raegener in support of the same, and Mr. Charles Neave in opposition thereto.

11 Original Ex parte: In the Matter of Francis D. Reisenberg et al, Petitioners

and

12 Original Ex parte: In the Matter of Joseph Konrad, individually, &c Petitioners

These cases were argued by Mr. Roger Foster, of counsel for the petitioners, and Mr. James Byrne and Mr. J. Parker Kirlin of counsel for the respondents.

60 The Anheuser Busch Brewing Association, Appellant.
vs.
The United States.

This cause was argued by Mr. L. T. Michener, of counsel for the appellant, and Mr. Assistant Attorney General Van Orsdel, of counsel for the appellee.

Francis Huisloud et al,
Trustees, et al.,
59. vs. Plaintiffs in Error,
The Baltimore & Ohio Railroad Co.

The argument of this cause was commenced by Mr. William G. Johnson, of counsel for the plaintiffs in error.

(Proclamation being made, the Court is adjourned

Tuesday, December 10th, 1895.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Esq.

Proclamation being made, the Court is opened

2. Leonidas M. Lawson, et al., vs. United States Mining Co. Petitioners

On motion of Mr. A. B. Browne, in behalf of counsel for the petitioners,

It is ordered by the Court that the mandate in this cause be stayed for thirty days from this date.

54. Francis Winslow et al., Trustees, et al., vs. The Baltimore & Ohio Railroad Co. Plaintiffs in Error

The argument of this cause was continued by Mr. William G. Johnson, of counsel for the plaintiffs in error, and Mr. George E. Hamilton and Mr. John W. Yerkes, of counsel for the defendant

of counsel for the plaintiff in error

63 The Deutsche Gesellschaft, vs. Augustus C. Umbreit (Plaintiff in Error)

The argument of this cause was commenced by Mr. F. C. Winkler, of counsel for the plaintiff in error, and continued by Mr. Joseph B. Doe, of counsel for the defendant in error

Proclamation being made, the Court is

Wednesday, December 11th, 1907.

Pursuant to adjournment, the Court met today at the Capitol

Present:

The Honorable John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

Mr. Justice Harlan announced that the members of the Court would attend the funeral tomorrow of the grandson of the Chief Justice, and as an expression of their sympathy for the Chief Justice and the members of his family, the Court, when it adjourned today, would adjourn to Friday, at the usual hour of meeting.

On motion first made to the Court in this behalf by Mr. William B. Lamar, it is ordered that William W. Flournoy, Esquire, of De Funiak Springs, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

63 The Deutsche Gesellschaft, Plaintiff in Error, vs. Augustus C. Hubert. The argument of this cause was continued by Mr. Joseph B. Doe, of counsel for the defendant in error, and concluded by Mr. E. C. Wickler, of counsel for the plaintiff in error.

65 Frank Blackstock, Executor &c., Appellant, vs. The United States. The argument of this cause was commenced by Mr. S. M. Cox, of counsel for the appellant, continued by Mr. Charles F. Riechelot, of counsel for the appellee, and concluded by Mr. John M. Thurston, of counsel for the appellant.

(Proclamation being made the Court is ad

Friday, December 13th, 1907

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody, Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. J. McLaurin, it is ordered that Dent Minor and Marion G. Evans, Esquires, of Memphis, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Heintzman, it is ordered that Edward A. Hafner, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. H. Bonynge, it is ordered that Jesse C. Northcutt, Esquire, of Trinidad, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maxwell Evarts, it is ordered that Alfred R. Page, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Humphrey, it is ordered that George de Steiguer and James B. Murphy, Esquires, of Seattle, State of Washington, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Parker Kinsolving, it is ordered that John M. Woolsey, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

76 Chin You, Appellant,
vs.
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Maxwell Evarts, of counsel for the appellant, and Mr. Assistant Attorney General Cooley, of counsel for the appellee, and leave was granted counsel for the appellant to file a reply brief within five days.

77 R. Allyn Lewis et al.,
vs. Appellants,
Inez Herrera, Receiver &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Webster Street, and Mr. J. L. B. Alexander, of counsel for the appellants, and Mr. William Herring, of counsel for the appellee.

64 Yosemite Gold Mining and Milling Company,
vs. Plaintiff in Error,
E. L. Emerson et al.

This cause was argued by Mr. H. C. Kennedy, of counsel for the plaintiff in error, and Mr. John E. Laskey, of counsel for the defendant in error.

71 The Old Dominion Steamship Co. &c., Petitioner
vs.
Primus Gilmore, Administrator &c.

This cause was argued by Mr. Harrington Putnam, of counsel

Mr. George Whitefield Betts, Jr., of counsel for the respondent.

Eugene H. Robinson, Appellant,
vs.
Andrew B. Duvall, Executor, &c. et al.

No. 73.

This cause was argued by Mr Charles H. Merillat of counsel for the appellants, and submitted on a printed argument by Mr. Edward A. Thomas and Mr. Andrew B. Duvall, of counsel for appellees.

Proclamation being made, the Court is adjourned

Monday, December 16th, 1907

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody, Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Bonaparte, it is ordered that Thomas P. Fay, Esquire, of Long Branch, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Webster, it is ordered that Carl C. Wright, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court; and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. H. Caufield, it is ordered that Roger Miller Lee, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

29. Emil Wereckmeister, Plaintiff in Error, vs. American Tobacco Comp[any] } In Error to the United States Circuit Court of Appeals for the Second Circ[uit]

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice Day.

23 Jose Paraiso, Plaintiff in Error, vs. The United States. } In Error to the Supreme Court of the Philippine Is[lands]

This cause came on to be heard on the transcript

Philippine Islands, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Harlan.

70 John M. Thurston, (Plaintiff in Error,) vs. The United States. In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice Harlan.

26 Vandalia Railroad Co., (Plaintiff in Error,) vs. The State of Indiana ex rel. The City of South Bend. In Error to the Supreme Court of the State of Indiana.

This cause came on to be heard on the tran-

of the State of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error, in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brewer.

7/3 Eugene F. Robinson, Appellant, vs. Andrew B. Duvall, Executor of James D. Robinson, deceased, Mowden H. Robinson et al. } Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

508 Demetrius M. Steward et al., Petitioners, vs. American Lava Co., et al. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(per Mr. Chief Justice Fuller.)

504 Moritz Kirchberger, et al., Petitioners vs. American Lava Company et al. Paul J. Kruesi. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(per Mr. Chief Justice Fuller.)

517 Johnson & Johnson, Petitioners, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same,

ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

520 The United States, Petitioner, vs. James A. Hayes & Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

7 Fritz Durein, Plaintiff in Error, vs. The State of Kansas.
8 Fred Rossi et al, Plaintiffs in Error, vs. The State of Kansas.
9. Fred Simmons et al, Plaintiffs in Error, vs. The State of Kansas.

It is ordered by the Court that these cases be, and they are hereby assigned for argument on Monday, January 6th, 1902, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court would take a recess from Monday, the 23d instant, to Monday, January

546 The United States, Appellant,
vs.
William G. Miller.

This cause was submitted (Consideration of the Court) pursuant to the 20th Rule, on the record and printed arguments by Mr. Solicitor General Hoyt, Mr. Assistant Attorney General Van Orsdel and Mr. John L. Thompson, of counsel for the appellant, and Mr. George A. King and Mr. William B. King, of counsel for the appellee.

501 Old Nick Williams Co., Petitioner,
vs.
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles A. Moore in support of the same.

502 Richard Cohen et al., Petitioners,
vs.
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Joel M. Mark in support of the same, and Mr. Solicitor General Hoyt and Mr. Assistant General Cooley in opposition thereto.

534 Exquicio Beltran, Appellant,
vs.
The People of Porto Rico.

Mr. Henry M. Hoyt, of counsel for the appellee, having filed in open Court

"The Supreme Court of Porto Rico.

I, Antonio F. Castro, Secretary of the Supreme Court of Porto Rico, do hereby certify that in a certain cause pending in said Court, entitled The People of Porto Rico appellee vs. Eugenio Buitrago appellant No. 83, appealed from the District Court of Guayama, a final judgment was rendered by the said Supreme Court on the 12th day of December, 1906, in favor of the said appellee and against the said appellant, sustaining and affirming the judgment of the Court below, to wit; a judgment rendered by the District Court of Guayama upon the 8th day of November of the same year; and that thereupon, to wit upon the 8th day of January, 1907, the said appellant prayed an appeal to the Supreme Court of the United States, which appeal was thereafter, to wit, on the 22nd day of January, 1907, duly allowed, and that on said appeal the People of Porto Rico was made appellee

Seal

A. F. Castro,
Secretary of the Supreme Court."

and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court; It is ordered, adjudged and decreed by this Court that this appeal from the Su-

is hereby docketed and dismissed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr Chief Justice Fuller.

405. The Railroad Commission of Louisiana, vs. Cumberland Telephone and Telegraph Company. Appellant.

Mr E. Howard McCaleb, Jr., of counsel for the appellant, submitted to the consideration of the Court a suggestion of a diminution of the record and a motion for a writ of certiorari herein.

James C. Whittaker, Administrator, etc., vs. A. B. Barber & Company, &c. Petitioner

and

Adolph Joseph, vs. A. B. Barber & Company, &c. Petitioner

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Frederick M. Czarniecki in support of the same, and Mr. Edward Jacobs in opposition thereto.

Monday, December 16th, 1907. (continued.)

535 The Mills Transportation Co., (Petitioners) vs. The Great Lakes Towing Co. (Respondents)

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. A. Caufield in support of the same, and Mr Harvey D. Goulder, Mr. A. A. Holding and Mr. C. J. Masten in opposition thereto.

Ex parte: In the matter of The State of Nebraska, (Petitioner)

Mr. Morris Brown, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Ex parte: In the matter of William H. Bierce, Limited, (Petitioner)

The motion for leave to file a petition for a writ of mandamus herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick D. McKenney, in behalf of counsel for the petitioner, and Mr. A. B. Browne and Mr. Alexander Britton in opposition thereto.

165 Marcellus Thomas, Plaintiff in Error, vs. The State of Texas. On motion of Mr. Frederick D. Tyler in behalf of counsel for the plaintiff in error, It is ordered by the Court that the plaintiff in error be given sixty days from this date within which to print the transcript of the record herein.

409 Corsicana Petroleum Co., Petitioner, vs. W. L. Daley. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick D. Tyler and Mr. W. J. McKie in support of the same, and Mr. E. St. Clair Thompson and Mr. Robert D. Niblett in opposition thereto.

50 John A. Curtin, Trustee, Appellant, vs. Gertrude G. Medina. Appeal from the United States Circuit Court of Appeals for the First Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, without costs to either party.

Per Mr. Chief Justice Fuller.

361 L. L. McCandless
vs. Plaintiff in Error
George K. Carter, Governor
&c., et al.

The motions to dismiss in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Charles S. Clemons in support of the same, and Mr. A. G. M. Robertson in opposition thereto.

223 Fraux de L. Carrington
224 vs. Plaintiff in Error
225 The United States.

These cases were argued by Mr. Holmes Conrad, of counsel for the plaintiff in error, and Mr. Solicitor General Hoyt, of counsel for the defendant in error.

74 Louis Stewart
vs. Plaintiff in Error
State of Louisiana

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Murphy J. Foster, of counsel for the plaintiff in error, and Mr. Walter Guion and Mr. F. C. Zacharie, of counsel for the defendant in error.

75 J. M. Darnell & Son Co. et al.
vs. Plaintiffs in Error
The City of Memphis et al.

This cause was argued by Mr. Desh Minor, of counsel for the plaintiffs in error, and Mr. Marion G. Evans, of counsel for

Monday, December 16th, 1907. Continued.

24 The United States, vs. A. Graf Distilling Co. This cause was argued by Mr. Assistant Attorney General Cooley, of counsel for the United States, and Mr. Warwick M. Hough, of counsel for the A. Graf Distilling Company.

78. R. M. Henningsen et al., vs. Appellants. United States Fidelity and Guaranty Company of Baltimore, Maryland, et al. The argument of this cause was commenced by Mr. George E. de Steiguer, of counsel for the appellants, and continued by Mr. James B. Murphy, of counsel for the appellees.

(Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. R. T. Hall, it is ordered that Howard Mansfield, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Culberson, it is ordered that William E. Hawkins, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Hayes, it is ordered that John F. Callahan, Esquire, of Casselton, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur A. Birney, it is ordered that George W. Buckner, Esquire, of Enid, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert M. La Follette, it is ordered that Willard B. Overson, Esquire, of Williston, State of North Dakota, and Ernest D. Carey and Albert C. Kinney, Esquires, of Minneapolis, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

No. 15. J. I. Case Threshing Machine Co., Petitioners, vs. The Indiana Manufacturing Co. Writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause having been called to the attention of the Court by Mr. Melville Church, in behalf of counsel, and a stipulation of counsel for the re-

herein having been filed. Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court, that the writ of certiorari in this cause be, and the same is hereby, dismissed, without costs to either party.

per Mr. Chief Justice Waite

86 John Thalheim, Plaintiff in Error, vs. The Commonwealth of Pennsylvania. In Error to the Supreme Court of the State of Pennsylvania.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

78 R. M. Hemmingway et al., Appellants, vs. United States Fidelity and Guaranty Company of Baltimore, Maryland, et al. The argument of this cause was continued by Mr. James B. Murphy, of counsel for the appellees, and concluded by Mr. George E. de Steiguer, of counsel for the appellants.

80 Concepcion Calvo, (Appellant,) vs. Angeles Chaverry et al.

This cause was argued by Mr. Howard Thayer Kingsbury, of counsel for the appellant. No counsel appeared for the appellees.

81 The Minneapolis, St. Paul & Sault Ste. Marie Railway Co., (Plaintiff in Error,) vs. Thomas Doughty.

This cause was argued by Mr. Alfred A. Wright, of counsel for the plaintiff in error, and Mr. S. E. Ellsworth, of counsel for the defendant in error.

82 The Southern Pine Lumber Co., et al., (Plaintiffs in Error and Appellants,) vs. W. B. Ward et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Arthur A. Birney and Mr. Henry F. Woodard of counsel for the plaintiffs in error and appellants, and Mr. John C. Moore, Mr. D. W. Buckner and Mr. George W. Buckner, of counsel for the defendants in error and appellees.

83 Val Marciniak, (Plaintiff in Error,) vs. The State of Minnesota.

The argument of this cause was commenced by Mr. Ernest S. Carey, of counsel for the plaintiff in error. The Court declined to hear further argument.

The Cleveland Terminal "us
Valley Railroad Co. et al,
84 vs. Appellants.
The Cleveland Steamship Co.

for the appellants.

The argument of this cause was commenced by Mr. Roger M. Lee, of counsel

(Proclamation being made, the Court is adjourned

Wednesday, December 15th, 1897.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorables Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody, Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Lee S. Overman, it is ordered that Charles B. Aycock, Esquire, of Goldsboro, State of North Carolina, and Thomas P. Sheller, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

11 Pet

Thomas P. Hunter, Sheriff &c. Appellant,
vs.
James A. Wood.

On motion of Mr. Alexander Pope Humphreys, of counsel for the appellee, It is ordered by the Court that three hours be allowed each side for the argument of this cause and that three counsel be allowed to make oral argument for each side.

536 Utah Consolidated Mining Co., (Petitioner,) vs. James Bradford et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George Sutherland, Mr. Louis Marshall, Mr. Samuel Untermyer and Mr. Waldemar Van Cott in support of the same; and Mr. Joseph L. Rawlins and Mr. William A. Rigg in opposition thereto.

94 Aaron Bluthenthal et al., (Plaintiffs in Error,) vs. Angus C. Jones, Administrator, &c. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Benjamin Z. Phillips and Mr. John M. Slaton, of counsel for the plaintiffs in error, and Mr. Solon C. Wilson, of counsel for the defendant in error.

84 The Cleveland Terminal and Valley Railroad Co., et al., (Appellants,) vs. The Cleveland Steamship Co. The argument of this cause was continued by Mr. Roger M. Lee, of counsel for the appellants, Mr. F. S. Masten, and Mr. Harvey D. Goulder, of counsel for the appellee, and concluded by Mr. Roger M. Lee, of counsel for the appellants.

Wednesday, December 8th, 1897. continued

Thomas T. Hunter, Sheriff, &c., vs. James H. Ward. Appellant.

The argument of this cause was commenced by Mr. E. J. Justice, of counsel for the appellant, and continued by Mr. Alfred P. Thom, of counsel for the appellee.

(Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

No. 4 Original

Commonwealth of Virginia, Complainant,
vs.
State of West Virginia

Mr. Holmes Conrad, of counsel for the complainant, and Mr. John G. Carlisle, of counsel for the defendant, respectively, submitted to the consideration of the Court forms of an order to be entered herein for the appointment of a master to take the testimony

Thursday, December 14th, 1871 continued.

Thomas F. Hunter, Sheriff &c.,
vs. Appellant.
James H. Hood.

The argument of this cause was continued by Mr. Alfred P. Thom, of counsel for the appellee, Mr. J. A. Merrimon, of counsel for the appellant, Mr. Walter D. Hines and Mr. Alexander Pope Humphrey, of counsel for the appellee, and concluded by Mr. C. B. Aycock, of counsel for the appellant. Leave was granted counsel for the appellee to file an additional brief on or before the 23d instant, and to counsel for the appellant to file a reply thereto within one day thereafter.

88

The City of Omaha, et al.,
vs. Appellants
The Omaha Water Company.

The argument of this cause was commenced by Mr. John L. Webster, of counsel for the appellants.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened,

On motion first made to the Court in this behalf by Mr. Francis W. Cushman, it is ordered that William A. Abel, Esquire, of Montesano, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bailey, it is ordered that W. E. Pope, Esquire, of Madisonville, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

232. Duluth and Superior Bridge Co., Appellant, vs. Steamer "Troy" &c. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Charles E. Kremer, of counsel for the appellant, and Mr. Harvey D. Goulder, Mr. Frank S. Masten and Mr. A. A. Ridley, of counsel for the appellee.

83 The City of Omaha et al., Appellants, vs. The Omaha Water Co. The Court declined to hear further argument in this cause.

D. Sullivan, Plaintiff in Error, vs. State of Texas. This cause was argued by Mr. Charles W. Ogden, of counsel for the plaintiff in error, and Mr. Williams & Hawkins, of counsel for the defendant in error.

92 Northern Pacific Railway Co., Plaintiff in Error, vs. The State of Minnesota ex rel. The City of Duluth. The argument of this cause was commenced by Mr. Charles W. Bunn, of counsel for the plaintiff in error, and continued by Mr. Bert Fisler, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until Monday next at [illegible]

Monday, December 23d, 1895.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
David J. Brewer,
Edward D. White
Rufus W. Peckham
Joseph McKenna, Associate
Oliver Wendell Holmes, Justices
William R. Day,
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk,

(Proclamation being made, the Court is opened.)

On motion first made to the Court in this behalf by Mr. Frederick A. Tyler, it is ordered that James R. Sloane, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

71

The Old Dominion Steamship Company, Owner of the Steamship "Hamilton"
vs.
Chimus Gilmore, Administrator of the estate of Alfred Gilmore, deceased, et al

(Petitioners)

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

transcript of the record from the United States Circuit Court of Appeals for the Second Circuit and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Holmes.

The Water, Light & Gas Co., of Hutchinson, Kansas, Appellant, vs. The City of Hutchinson et al. Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

54 The Wales, Light & Gas Co., of Hutchinson, Kansas, Appellant, vs. The City of Hutchinson et al. Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr Justice McKenna.

14 Original. Ex parte: In the matter of William W. Bierce, Limited, Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

12 Original. Ex parte: In the matter of William W. Bierce, Limited, Petitioner. On consideration of the petition of William W. Bierce, Limited, It is now here ordered by this Court that cause be shown by the Chief Justice and As-

Territory of Hawaii before this Court at the City of Washington, on Monday, January 27th, 1908, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, to why the prayer of said petition should not be granted

per Mr. Chief Justice Fuller.

361.

Ex parte: In the matter of The State of Nebraska, Petitioner. — On consideration of the motion for leave to file a petition for a writ of Mandamus herein,

15 Original.

It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The State of Nebraska, Petitioner. — On consideration of the petition of the State of Nebraska, It is

15 Original.

361

now here ordered by this Court that cause be shown by the Honorable William H. Munger and the Honorable Thomas C. Munger, United States District Judges for the District of Nebraska, holding the Circuit Court of the United States in and for the District of Nebraska, before this Court, at the City of Washington, on Monday, January 6th, 1908, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

L. L. McCandless,
vs. (Plaintiff in Error)
George R. Carter, Governor of
the Territory of Hawaii, and
James W. Pratt, Commissioner
of Public Lands of the Territory
of Hawaii.

In Error to
the Supreme
Court of the
Territory of
Hawaii.

This cause came on to be heard on the tran-
script of the record from the Supreme Court
of the Territory of Hawaii, and motion to dismiss
by counsel. On consideration whereof, It is
now here ordered and adjudged by this
Court that the writ of error in this cause
as to George R. Carter, Governor of the Territo-
of Hawaii, be, and the same is hereby, dismissed,
for the want of jurisdiction

per Mr. Chief Justice Fuller

L. L. McCandless,
vs. (Plaintiff in Error)
George R. Carter, Governor of
the Territory of Hawaii, and
James W. Pratt, Commissioner
of Public Lands of the Territory
of Hawaii.

It is ordered by
the Court that
the further con-
sideration of
the motion of
James W. Pratt,
Commissioner,
&c, to dismiss

this cause, be, and the same is hereby, post-
poned until the hearing of the cause on the
merits.

The Railroad Commission of Louisiana, Appellant, vs. Cumberland Telephone & Telegraph Company. — On consideration of the suggestion of diminution of record and motion for a writ of certiorari herein, &c. it is now here ordered by the Court that said motion be, and the same is hereby, granted, the additional record presented with the motion to stand as a return to the writ.

per Mr. Chief Justice Fuller.

301. Old Nick Williams Co., Petitioners, vs. The United States. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

303. Benjamin D. Greene and John T. Gaynor, Petitioners, vs. The United States. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petitions for a writ of

Court of Appeals for the Fifth Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same; It is now here ordered by the Court that said petitions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

409 Corsicana Petroleum Co., Petitioners, vs. H. N. Haley. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

508 Richard Cohen, Simon L. Simpson, and Isidore G. Mann, Petitioners, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had,

Monday, December 23d, 1907, continued.

It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

526 The Mills Transportation Co., Petitioners, vs. The Great Lakes Towing Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

James C. Whittaker, Administrator of Claude C. Troutman, deceased, Petitioner, vs. A. B. Barter & Company, Incorporated, alleged bankrupt. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

527

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

528 Adolph Joseph, Petitioner, vs. A. B. Baker & Co., Incorporated, alleged bankrupt. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

536 Utah Consolidated Mining Company, Petitioner, vs. James Godfrey et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Louis Stewart,
vs. (Plaintiff in Error,
The State of Louisiana.

In Error to the Supreme Court of the State of Louisiana.

No. 71.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Val Marcinial,
vs. (Plaintiff in Error,
The State of Minnesota.

In Error to the Supreme Court of the State of Minnesota.

No. 8.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

The City of Omaha, The Water Board of the City of Omaha et al., Appellants, vs. The Omaha Water Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

No. 88

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The City of Omaha et al., Petitioners vs. The Omaha Water Co. On petition for writ of certiorari to the United States Circuit Court of Appeals Eighth

No. 88

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Monday, December 23d, 1907, Continued.

9333 William Gordon Crawford, Petitioner, vs. The United States. Mr. Solicitor General Hoyt, of counsel for the respondent, submitted to the consideration of the Court a motion to advance this cause.

4438 Thomas Bailes, Plaintiff in Error, vs. The United States. Mr. Solicitor General Hoyt, on behalf of counsel for the plaintiff in error, submitted to the consideration of the Court, motions to advance and for leave to proceed herein in forma pauperis.

3083 The United States, Plaintiff in Error, vs. John W. Billy. Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

1188 James R. Jeans, Register & Agent, &c., et al., Appellants, vs. University of the South. On motion of Mr. Edward T. Crawford, on behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, re assigned for argument on Monday, January 27th, 1908, after the cases heretofore assigned for that day.

Bradley W. Palmer et al.,
535 vs. Petitioners,
The State of Texas, et al

The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr Moorfield Storey in support of the same and leave granted counsel for the respondents to file a brief in opposition thereto within ten days.

Bradley W. Palmer Jnd.
A. Clay Pierce,
535. vs. Petitioners
The State of Texas et al.

On motion of Mr. Moorfield Storey, of counsel for the petitioners, It is ordered by this Court that all proceedings in the case of B. W. Palmer against The Waters Pierce Oil Company, pending in the Circuit Court of the United States for the Eastern District of Texas be stayed until the further order of this Court.

per Mr. Chief Justice Fuller

Adolphus Coulson.
473 vs. Plaintiff in Error,
The Government of the Canal Zone.

On motion of Mr. Moorfield Storey, of counsel for the plaintiff in error, leave is hereby granted to prosecute this cause in forma pauperis.

Eugene F. Robinson, Appellant,
vs.
Andrew B. Duvall, Executor, &c., et al.

On motion of Mr. A. B. Duvall, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

Lawrence E. Sexton Receiver, &c., Petitioner
542 vs.
Armstrong Cork Co. &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William D. Guthrie, Mr. E. C. Henderson and Mr. Wallace Macfarlane in support of the same, and Mr. Herbert Noble and Mr. James R. Sloane in opposition thereto.

Northern Pacific Railway Co.,
92. vs. Plaintiff in Error,
The State of Minnesota ex rel. The City of Duluth,

for the defendant in error.

The argument of this cause was concluded by Mr. Burt Fesler, of counsel

Proclamation being made the Court is adjourned until Monday, January 6, one of Justices, &c.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Simon Lyon, it is ordered that Josiah Gross, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank P. Flint, it is ordered that Frank C. Collier, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Wabash Railroad Co., &c. vs. (Plaintiff in Error,) The Adelbert College of the Western Reserve University et al. — In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Moody.

41.

Dissenting:
Mr. Justice Harlan and
Mr. Justice Peckham

Francis Winslow, Augustus Jay, and American Security & Trust Company, Trustee, et al., vs. The Baltimore & Ohio Railroad Co. (Plaintiffs in Error,) — In Error to the Court of Appeals of the District of Columbia.

34.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court

that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Moody.

Aaron Kluchenthal and Monroe L. Bickart, copartners as Kluchenthal & Bickart, vs. Angus C. Jones, Administrator of Miles C. Jones, deceased. (Plaintiffs in Error.) In Error to the Supreme Court of the State of Florida.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Moody.

The People of the State of New York ex rel. Edward and John Burke, Limited, (Plaintiff in Error,) vs. James L. Wells et al., as Commissioners of Taxes and Assessments of the City of New York. In Error to the Supreme Court of the State of New York.

of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Justice Day.

69. Yosemite Gold Mining & Milling Company, vs. E. L. Emerson, Mrs. L. Emerson & F. F. Britton et al. (Plaintiff in Error) In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

90 The United States, vs. William S. Miller (Appellant;) Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof,

It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause based upon computation of longevity pay upon the additional allowance for pay as aid, be, and the same is hereby, modified, and, as so modified, that said judgment be, and the same is hereby, affirmed.

Per Mr. Justice Day.

Chin How, Appellant,
vs. } Appeal from the District
76. The United States. } Court of the United States
for the Northern District of Cal.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the order of the said District Court, in this cause, be and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with a direction to issue the writ of habeas corpus.

Per Mr. Justice Holmes.

Mr. Justice Brewer concurred in the result.)

223. Frank de L. Carrington, Plaintiff in Error, vs. The United States. In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to reverse the judgment of the Court of first instance and remand the cause to that Court with a direction to dismiss the complaint.

per Mr. Justice Holmes.

224. Frank de L. Carrington, Plaintiff in Error, vs. The United States. In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Supreme Court with

the judgment of the Court of first instance and remand the cause to that Court with a direction to dismiss the complaint.

Per Mr. Justice Holmes.

225 Frank de L. Carrington, Plaintiff in Error, vs. The United States. In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to reverse the judgment of the Court of first instance and remand the cause to that Court with a direction to dismiss the complaint.

Per Mr. Justice Holmes.

158 Henry Winters, John W. Acker, Chris Cruse, et al., Appellants. vs. The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the tran-

Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Montana.

per Mr. Justice McKenna.

Dissenting:
Mr. Justice Brewer.

60 The Anheuser Busch Brewing Associations, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause be, and the same is hereby, affirmed.

per Mr. Justice McKenna.

96 John Newton Williamson, Plaintiff in Error, vs. The United States. In Error to the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause as to the defendant Williamson be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict as to the defendant Williamson and grant him a new trial.

per Mr Justice White.

Dissenting:
Mr. Justice Harlan.

216 Damsella Howard, Administratrix of Will Howard, deceased, vs. The Illinois Central Railroad Company et al., Plaintiff in Error. In Error to the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

Dissenting:
Mr. Justice Moody.
Mr Justice Harlan and Mr. Justice McKenna.
Mr. Justice Holmes.

N. C. Brooks, Administratrix of Morris D. Brooks, deceased, vs. Southern Pacific Company. (Plaintiff in Error)

In Error to the Circuit Court of the United States for the Western District of Kentucky.

2233

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

Dissenting:
Mr. Justice Moody.
Mr. Justice Harlan and Mr. Justice McKenna.
Mr. Justice Holmes

264 Consolidated Rendering Co, Plaintiff in Error, vs. The State of Vermont by Clarke C. Fitts, Attorney General. In Error to the Supreme Court of the State of Vermont.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Vermont, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

61. Amelia M. Holt, vs. Samuel Murphy, Anson A. Classen & Frank M. Ridgdale. Appellant; Appeal from the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Oklahoma.

41 D. Sullivan, (Plaintiff in Error) vs. The State of Texas. In Error to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer

233. William Gordon Crawford (Petitioner) vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th 1908.

per Mr. Chief Justice Fuller

438 Thomas Bailey, (Plaintiff in Error) vs. The United States. On consideration of the motion for leave to proceed in forma pauperis in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller

Thomas Bailey,
1438 vs. Plaintiffs in Error,
The United States

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 27, 1908, after the cases heretofore assigned for that day.

per Mr Chief Justice

The United States,
503 vs (Plaintiffs in Error,
John Kelly)

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 27, 1908, after the cases heretofore assigned for that day.

per Mr. Chief Justice

(Bradley W. Palmer and
A. Clay Pierce,
535 vs. (Petitioners,
The State of Texas et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as

is now here ordered by the Court that said
writ be, and the same is hereby, granted.

per Mr. Chief Justice Fuller

Lawrence E. Sexton, as Receiver
in bankruptcy of Alfred Kessler
et al, formerly co partners as Kessler
& Company,
(Petitioners)
vs.
Armstrong Cork Company.

No. 512.

On petition
writ of er
to the Unit
Circuit Co
of Appeals
Second Ci

On consideration of the petition for a writ of
error herein to the United States Circuit C
of Appeals for the Second Circuit, and of the ar
ment of counsel thereupon had, as well in sup
of as against the same, It is now here ordere
by the Court that said petition be, and the sa
is hereby, denied.

per Mr. Chief Justice Fuller

Doña Maria Francisca
O'Reilly de Camara, etc.,
(Plaintiff in Error)
vs.
John R. Brooke, Major General
U. S. A.

No. 1014.

On motion o
Mr. Solicitor G
Hoyt, of counse
for the defendan
in error. It is o
dered by the C
that this cause be, and the same is hereby, pas
subject to the provisions of section 9 of rule 16.

510 MacAndrews & Forbes Co., Plaintiff in Error, vs. The United States

and

511 J. L. Young Company, Plaintiff in Error, vs. The United States

The motion to advance these cases was submitted to the consideration of the Court by Mr Solicitor General Hoyt in support of the same, and Mr John D. Lindsay in opposition thereto.

555 The United States, Petitioner, vs. J. T. B. Hathorn

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Solicitor General Hoyt in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto on or before Monday next.

524 Norfolk & Western Railway Co., Petitioner, vs. Lovella May, Administratrix &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Theodore W. Reath and Mr. Joseph J. Dorau in support of the same, and Mr. Clement Manly in opposition thereto.

316. Sailors' Union of the Pacific et al., (Petitioners,) vs. Hammond Lumber Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Jackson A. Ralston in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto on or before Friday next.

310. Metropolitan Life Insurance Co., (Petitioner) vs. Camilla B. Talbott, Administratrix, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Maurice E. Locke in support of the same, and Mr. M. L. Crawford in opposition thereto.

351. Owen Ahearn, (Petitioner) vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederick D. Tyler in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

228. The American Surety Co. of New York, (Plaintiff in Error) vs. The Akron Savings Bank Co., et al. The motion to dismiss or affirm in this cause was submitted to the consideration of the

record and printed arguments by Mr. John G. Gillings in support of the same, and Mr. Frederic D. McKenney in opposition thereto.

Ex parte: In the matter of Catherine Ahlemeyer, Petitioner.

Mr. Frederic D. McKenney, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

1491 Great Northern Railway Co., vs. The United States. (Petitioner.)

On motions of Mr. Frederic D. McKenney, leave is hereby granted Mr. John S. Miller to file a printed brief herein as amicus curiae.

Henry M. Earle, Administrator, &c., vs. J. Percy Myers, et al, Administrators, &c. (Appellant.)

The motion to amend the record herein was submitted to the consideration of the Court on a printed argument by Mr. John G. Gillings and Mr. Henry E. Davis in support of the same, and leave was granted counsel for the appellees to file a reply brief within two days.

United Land Association et al., (Plaintiffs in Error,
vs.
Lewis Abraham et al.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles N. Bates, Mr. W. B. Treadwell, Mr. Charles H. Lovell and Mr. C. F. Dumas in support of the same, and Mr. C. A. Keiquin and Mr. J. J. Darlington in opposition thereto.

Fritz Durein (Plaintiff in Error,
vs.
The State of Kansas.

Fred Ross et al., (Plaintiffs in Error,
vs.
The State of Kansas.

Fred Simmons et al., (Plaintiffs in Error,
vs.
The State of Kansas.

These cases were submitted to the consideration of the Court on the record in case No. 7 and printed arguments by Mr. C. A. Magaw, of counsel for the plaintiffs in error, and Mr. C. C. Coleman and Mr. Fred D. Jackson, of counsel for the defendant in error.

Rafael Enriquez, Administrator, &c., (Plaintiff in Error,
vs.
A. D. Watson & Co., Limited.

The suggestion of a diminution of the record, a motion for writ of certiorari, motion to pass the cause and for leave to file affidavits of value herein were submitted to the consideration of the Court

by Mr. Jackson H. Ralston, of counsel for the plaintiffs in error.

Ex parte: In the matter of Ephraim Simon, Original Petitioner. The argument of this cause was commenced by Mr. Louis Marshall, of counsel for the petitioner, and continued by Mr. Harvey N. Hall, of counsel for the respondent.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 7th, 1901

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Sidney L. Lazarus, it is ordered that James B. Kosser, Junior, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick A. Fleming, it is ordered that John L. Dauford, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Tuesday, January 7th, 1908, continued

On motion first made to the Court in this behalf by Mr. Lorrin Andrews, It is ordered that Francis M. Brooks, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Ephraim Demion, Petitioner. — The argument of this cause was concluded by Mr. Henry L. Lazarus, of counsel for the petitioner.

193 Original.

Great Northern Railway Co., Petitioner, vs. The United States. — This cause was argued by Mr. William R. Begg, of counsel for the petitioner, and Mr. Assistant to the Attorney General Purdy and Mr. Attorney General Bonaparte, of counsel for the respondent.

491.

The United States, Plaintiff in Error, vs. Adriaan H. Larkin, Intervenor, &c. — The argument of this cause was commenced by Mr. Assistant Attorney General Sanford, of counsel for the plaintiff in error.

336

Proclamation being made, the Court is adjourned

Wednesday, January 8th, 1908

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody,
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. L. McKeehan, it is ordered that Reuel E. Anderson, Esquire, of Youngstown, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. Wright, it is ordered that Wilson A. Chase, Esquire, of Nowata, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morris Brown, it is ordered that Victor M. Sinclair, Esquire, of Kearney, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.)

On motion first made to the Court in this behalf by Mr. Edward K. Calladay, it is ordered that James N. Van Dusen, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.)

356 The United States, vs. (Plaintiff in Error) Adrian H. Larkin, Intervenor, &c. The argument of this cause was continued by Mr. Assistant Attorney General Dauben of counsel for the plaintiff in error, and concluded by Mr. H. H. McKeehan, of counsel for the defendant in error.

426 Jacob Bussing, vs. (Plaintiff in Error) Philo U. Cady, Sheriff, &c. On motion of Mr. J. Jerome Hahn, of counsel for the defendant in error, It is ordered that certified copies of certain papers from the office of the Secretary of State of the State of Rhode Island be filed without expense.

1126 Jacob Kassuig
vs (Plaintiff in Error
Otis V. Cady, Sheriff &c

This cause was argued by Mr. Edward D. Bassett, of counsel for the plaintiff in error, and Mr. J. Jerome Hahn, of counsel for the defendant in error.

30 Original
State of Washington,
vs Complainant,
State of Oregon.

The argument of this cause was commenced by Mr. E. C. Macdonald, of counsel for the complainant, and continued by Mr. A. M. Crawford, of counsel for the defendant.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody, Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Elbridge Hanecy, it is ordered that James Hartnell, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew B. Duvall, it is ordered that Richard Williams Goetz, Esquire, of Mobile, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. B. Childers, it is ordered that A. B. Renehan, Esquire, of Santa Fe, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that Elmer J. Burket, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

State of Washington, Complainant,
vs
State of Oregon

Complainant.

The argument of this cause was concluded by Mr. E. C. Macdonald, of counsel for the complainant.

75 George K. Elder, et al., Plaintiffs in Error,
vs.
Wrigley S. Wood, Impleaded, &c.

This cause was argued by Mr. George K. Elder, of counsel for the plaintiffs in error, and Mr A. B. Browne, of counsel for the defendant in error.

The Yazoo and Mississippi Valley Railroad Company,
77. vs. Appellant
The Mayor and Aldermen of the City of Vicksburg.

It is ordered by the Court that this cause be, and the same is hereby

Thursday, January 9th, 1851 continued,

to the provisions of section 4 of Rule 22.

98 A. W. Bunnell,
vs (Plaintiff in Error & Appellant.
Sarah Grace Bunnell

The argument of this cause was commenced by Mr. James K. Heaton, of counsel for the plaintiff in error and appellant.

(Proclamation being made, the Court is ad-

Friday, January 16th, 1903

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham } Associate
Joseph McKenna } Justices.
Oliver Wendell Holmes.
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Gilfry, it is ordered that William D. Fenton, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Howard J. Walden, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The St. Paul, Minneapolis & Manitoba Railway Co., Plaintiff in Error,
1440 vs.
John R. Donohue.

This cause was submitted to the consideration of the Court, pursuant to the 20th Rule, on the record and printed arguments by Mr. Thomas R. Butler, of counsel for the plaintiff in error, and Mr. John R. Donohue in propria persona.

John A. Phillips, Hale Boyer, John Brown, C. Davenport and R. M. [illegible], Plaintiffs in Error,
108 vs.
W. E. Barrett and T. J. Barham, Trustee.

In Error to the Supreme Court of Appeals of the State of Virginia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the fourth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

A. H. Bennett,
94 vs. Plaintiff in Error and Appellant
Sarah Grace Bennett.

On motion of Mr. James R. Keaton, of counsel for the plaintiff in error and appellant, leave is hereby granted him to file a reply brief herein.

A. H. Bennett,
95 vs. Plaintiff in Error and Appellant
Sarah Ender Bennett.

The argument of this cause was continued by Mr. L. J. Michener, of counsel for the defendant in error and appellee, and concluded by Mr. James R. Keaton, of counsel for the plaintiff in error and appellant

Rafael Enriquez, Administrator,
96 vs. Plaintiff in Error,
A. D. Watson & Co., Limited,

On consideration of the suggestion of a diminution of the record and motion for a writ of certiorari herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted. It is further ordered that this cause be, and the same is hereby, passed temporarily.

101 The Missouri Valley Land Company, et al., vs. Asmus Huse (Plaintiffs in Error)

and

102 The Missouri Valley Land Company et al., vs Carsten Wiebe (Plaintiffs in Error)

These cases were argued by Mr. Charles A Clark, of counsel for the plaintiffs in error, and Mr. James H. Van Buskirk, of counsel for the defendants in error.

6 Ann M. Hairston, vs. The Danville & Western Railway Co. (Plaintiff in Error)

The death of Ann M Hairston, the plaintiff in error herein, having been heretofore suggested, Now, on motion of Mr. Waller R. Staples, of counsel for the plaintiff in error, It is ordered that W. A. Hairston Administrator of the said Ann M Hairston, deceased, be, and he is hereby, made the party plaintiff in error in this cause.

6 W. A. Hairston Administrator &c., vs The Danville & Western Railway Co. (Plaintiff in Error)

The argument of this cause was commenced by Mr. Waller R. Staples, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Monday January 13th, 1908.

Pursuant to adjournment the Court met today at the Capitol.

(Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
John N. Wright, Esquire, Marshal.
James H. McKenney, Clerk,

(Proclamation being made, the Court is opened,

On motion first made to the Court in this behalf by Mr. Milton D. Purdy, it is ordered that Arba J. Van Valkenburgh, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. A. DeArmond, it is ordered that Madison R. Smith, Esquire, of Farmington, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

Monday, January 13th, 1908, Continued:

On motion first made to the Court in this behalf by Mr. W. D. Fulton, it is ordered that Harry B. Adams, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Herbert, it is ordered that James H. Blount, Esquire, of Macon, State of Georgia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. E. Doan, it is ordered that Emma Reba Bailey, of Rome, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel Davenport, it is ordered that George A. Davis, Esquire, of Wilmington, State of Delaware, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

11 Original. Ex parte: In the Matter of Francis J. Reisenberg and Daniel Gallagher, (Petitioners) On consideration of the petition for writs of mandamus or prohibition herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that said rule to show cause be discharged and said petition be, and the same is hereby dismissed.

Per Mr. Justice Peckham.

12 Original. Ex parte: In the matter of Joseph Conrad, individually and as Administrator of Jane Ranoosky, deceased, (Petitioner) On consideration of the petition for writs of mandamus or prohibition herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that said rule to show cause be discharged and said petition be, and the same is hereby dismissed.

Per Mr. Justice Peckham.

64. William H. Trosser, (Plaintiff in Error) vs. George L. Shinn. In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered

and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Hughes

Frank Blacklock, Executor of Rivaldo P. Smith, representing the firm of Smith, Ellett & Company,
65 vs. Appellant
The United States

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, affirmed.

per Mr. Justice Hughes

United Land Association et al.,
4. vs. (Plaintiffs in Error
Louis Abrahams et al

and

United Land Association et al.,
5 vs (Plaintiffs in Error,
Lewis Abrahams et al.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm herein be, and the same is hereby, postponed until the

that these cases be, and the same are hereby, assigned for argument on Monday, January 23d, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Henry M. Earle, Administrator, &c.,
vs. Appellant;
Percy Meyers & J. J. Hamilton, Administrators, &c.

It is ordered by the Court that the Clerk retax the costs in these cases, treating them as one case, and that he report the same to the Court.

per Mr. Chief Justice Fuller.

238 The American Surety Company of New York,
vs. Plaintiff in Error,
The Akron Savings Bank Co., et al.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause, be, and the same is hereby, postponed until the hearing of the cause on the merits

per Mr. Chief Justice Fuller.

510 MacAndrews & Forbes Co., Plaintiff in Error, vs. The United States.
511 J. S. Young Company, Plaintiff in Error, vs. The United States.

On consideration of the motion to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the

on Tuesday, October 23d, 1906, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

524 Norfolk & Western Railway Co. vs. Louella May, Administratrix of George A. May. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

540 Metropolitan Life Insurance Co., vs. Camilla B. Talbott, Administratrix of the estate of William A. Talbott, deceased. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

546 Sailors' Union of the Pacific et al., Petitioners vs. Hammond Lumber Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

8

551 Owen Ahearn, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

9

7 Fritz Dureim, Plaintiff in Error, vs. The State of Kansas. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript

of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Fred Ross, Frank Murphy and Turk Simmons, Plaintiffs in Error, vs. The State of Kansas. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Fred Simmons & Newman Hamm, Plaintiffs in Error, vs. The State of Kansas. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and

aforesaid Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

E. J. Collon et al.,
154. vs. (Plaintiffs in Error,)
The Territory of Hawaii by
L. L. Halloran, Superintendent, &c.

On motion of Mr. Henry M. Hoyt, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 4 of, Rule 21.

Jennie L. Graves et al.,
564. vs. Petitioners,
Anna P. Ashburn,
Executrix, &c., et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Marion Erwin and Mr. William J. Wallace in support of the same.

Charles Thomas,
533 vs. (Plaintiff in Error,)
The State of Texas.

Mr. Simon Lyon, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Monday, January 13th, 1908, continued.

Scott County Macadamized Road Company, (Plaintiff in Error)
vs.
T. D. Hines, &c. (Defendant in Error)

The motion for supersedeas herein was submitted to the consideration of the Court on printed arguments by Mr. Edward A. Kent in support of the same, and Mr. T. D. Hines in propria persona, in opposition thereto

W. H. Hairston, Administrator, &c., (Plaintiff in Error)
vs.
The Danville and Western Railway Co. (Defendant in Error)

The argument of this cause was continued by Mr. Waller R. Staples, of counsel for the plaintiff in error, and Mr. George E. Hamilton, of counsel for the defendant in error, and concluded by Mr. Abram P. Staples, of counsel for the plaintiff in error.

W. L. Crary et al., (Plaintiffs in Error)
vs.
Benjamin F. Day

The argument of this cause was commenced by Mr. H. B. Ferguson, of counsel for the plaintiffs in error, and continued by Mr. W. B. Childers, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Tuesday, January 14th, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody, Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

No. 1241 — County Court of Braxton County, et al., vs. C. W. Dillon, State Tax Commissioner etc, et al. (Plaintiffs in Error)

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George E. Price, of counsel for the plaintiffs in error, and Mr. W. Mollohan, of counsel for the defendants in error.

141 Juan R. Garzot et al., vs. Appellants, Maria Rios de Rubio. and
142 Victor Burset et al., vs. Appellants, Maria Rios de Rubio.

On motion of Mr. Frederic D. McKenney, of counsel for the appellee, It is ordered by the Court that these cases be, and the same are hereby, passed temporarily.

Ex parte: In the matter of Catherine Schlemmer. Petitioner

On motion of Mr. Frederic D. McKenney, of counsel for the petitioner, leave is hereby granted to withdraw the motion submitted herein for leave to file a petition for a writ of mandamus.

103 H. C. Crary et al., vs Plaintiffs in Error, Benjamin N. Dye et al.

The argument of this cause was continued by Mr. W. B. Childers, of counsel for the defendants in error, and concluded by Mr. H. B. Ferguson, of counsel for the plaintiffs in error.

106 James W. Donnell, vs. Petitioner Henning-Hare Marvin, Safe Co. et al.

The argument of this cause was commenced by Mr. George [illegible] Merrick, of counsel for the petitioner and continued

Thursday, January 14th, 1908. Continued,

Maxwell, Junior, of counsel for the respondents.

(Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.)

Wednesday, January 15th, 1908.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody, Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. M. D. Rosenberg, it is ordered that Nicholas J. Spitz, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in behalf by Mr. F. M. Hatch, it is ordered that James L. Coke, Esquire, of Wailuku, Territory of Hawaii be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

126. Modesto Muniz Aguirre, Appellant, vs. Sobrinos de Ezquiaga. Appeal from the Supreme Court of Porto Rico

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller

116. James W. Donnell, Petitioner, vs. Fanning Hale Marvin Safe Company et al. The argument of this cause was continued by Mr. Lawrence Maxwell, Junior, of counsel for the respondents, and concluded by Mr. S. S. Gregory, of counsel for the petitioner.

107. Curt Muller, Plaintiff in Error, vs. State of Oregon. This cause was argued by Mr. William D. Fenton, of counsel for the plaintiff in error, and Mr. H. B. Adams and Mr. Louis D. Brandeis, of counsel for the defendant in error.

109.	The Atlantic Trust Co., vs. Petitioner Edgar C. Chapman, Receiver, &c.	The argument of this cause was commenced by Mr. Stanley W. Dexter, of counsel for the petitioner.

(Proclamation being made, the Court is ad

Thursday, January 16th, 1902.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas H. Carter, it is ordered that Hugh J. Miller, Esquire, of Livingston, State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. P. Dolliver, it is ordered that F. M. Zuill, Esquire, of Le Mars, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Nelson Thomasson, Junior, et al. vs. Petitioners, Chicago Railways Company et al. Mr. Charles N. Aldrich, of counsel for the petitioners, presented to the Court a petition for the allowance of an appeal herein pursuant to the order entered herein by Mr. Justice Day, and thereupon, It is ordered by the Court that the matter be set for hearing on Wednesday the [illegible]

127 Modesto Muniz Aguirre, Appellant; vs. Appeal from the Supreme Court of Porto Rico. Sobrinos de Egipciaca.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the fourth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

278 Jose Dolores Marquez et al., Appellants, vs. Appeal from the Supreme Court of the Territory of New Mexico. The Maxwell Land Grant Co.

It appearing to the Court that a motion by counsel for the appellants to dismiss this appeal has

Motion, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

107 The Atlantic Trust Co., Petitioner
vs.
Edgar C. Chapman, Receiver, etc.

The argument of this cause was continued by Mr. Stanley W. Dexter, of counsel for the petitioner, and Mr. Edgar C. Chapman, of counsel for the respondent, and concluded by Mr. Stanley W. Dexter, of counsel for the petitioner.

White-Smith Music Publishing Co. Appellant,
vs
Apollo Company.

The argument of this cause was commenced by Mr. Livingston Gifford, of counsel for the appellant, and continued by Mr. Charles A. Burton, of counsel for the appellee.

(Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. M. E. Clapp, it is ordered that Bion H. Dodge, Esquire, of Fairbanks, Territory of Alaska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. Wright, it is ordered that William J. Gilbert, Esquire, of Duncan, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. Seager Sherley, it is ordered, that R. A. McDowell, Esquire, of Russellville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

110 & 111 White Smith Music Publishing Co. vs. Apollo Company, Appellant. The argument of these causes was continued by Mr Charles S. Burton and Mr. John J. O'Connell, of counsel for the appellee, and concluded by Mr. Livingston Gifford, of counsel for the appellant.

112 Edward E. Richard et al. vs. City of Mobile, Appellants and

113 Ferdinand Phillips vs. City of Mobile, Plaintiff in Error These causes were argued by Mr. Richard William Stoutz, of counsel for the appellants and plaintiff in error, and Mr. B. B. Boone, of counsel for the appellee and defendant in error.

114 Alberto Armstrong, Liquidator &c., vs. Eduardo Fernandez et al, Appellant. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. N. B. K. Pettingill, of counsel for the appellant. No appearance for the appellee.

1202.	Henry Arnold Richardson & Thurlow &c. Petitioner vs. John M. Shaw et al. and Edward S. Thomas et al. Trustees &c. Petitioners vs. Anna D. Tag et al.	The argument of these cases was commenced by Mr. John Brooks Leavitt, of counsel for petitioner in the
1971.		

Proclamation being made, the Court is adjourned

Monday, January 20th, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

(Proclamation being made, the Court is opened.)

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that Julius H. Workum and Graham Sumner, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Everett Dufour, it is ordered that Waller H. Murray, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward S. Sanford, it is ordered that Henry J. Livingston, Junior, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert S. Burleson, it is ordered that W. W. Allen, Esquire, of Austin, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Littlefield, it is ordered that James J. Sullivan, Esquire, of Lawrence, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Hagerman, it is ordered that Henry Veeder, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abram J. Rose, it is ordered that Stephen M. Yeaman, Esquire, of New York City, be admit-

of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that William B. Hale, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. E. Payson, it is ordered that William H. Siviers, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Henry O. Houghton, Trustee, George H. Mifflin, J. Murray Kay et al., Appellants,
vs. Appeal from the Court of Appeals of the District of Columbia.
No. 419. George von L. Meyer, Postmaster General.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause, giving damages for the entire period of the litigation and until the legal rate of postage was paid by appellants be modified so as to include only damages for the period covered by the

as stated in the opinion of this Court, and, as so modified, be, and the same is hereby, affirmed, each party to pay one half of the costs in this Court.

per Mr. Justice Day.

Ex parte, In the matter of Ephraim Simon, Petitioner. On consideration of the petition for writs of habeas corpus and certiorari

13 Original herein, the return to the rule to show cause, and the argument of counsel thereupon had, It is now here ordered by the Court that said rule be discharged, and that the said petition be, and the same is hereby, denied.

per Mr. Justice Holmes.

The Southern Pine Lumber Co, T. L. L. Temple, G. W. R. Chism et al, vs Plaintiffs in Error, Appellants, W. B. Ward et al. In Error to and Appeal from the Supreme Court of the Territory of Oklahoma.

82.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the

Court of the State of Oklahoma.
per Mr. Justice White.

J. M. Darnell & Son Co.,
and A. D. Minor,
vs. Plaintiffs in Error,
The City of Memphis and
Thomas J. Taylor, Trustee.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.
per Mr. Justice White.

533. Charles Thomas,
vs. Plaintiff in Error,
The State of Iowa.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 27th, 1905, after the cases heretofore assigned for that day.
per Mr. Chief Justice Fuller.

564 Jennie L. Graves, et al., Petitioners vs. Anna P. Ashburn, Executrix of W. H. Ashburn, deceased, and H. S. Crawford. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

585 The United States, Petitioner vs. J. D. B. Matthews. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Tazewell County Macadamized Road Company, (Plaintiff in Error,) vs. The State of Missouri ex rel. T. D. Hains, Prosecuting Attorney &c. — 365

On consideration of the motion for a writ of supersedeas herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Henry M. Earle, Administrator, &c., (Appellant,) vs. T. Percy Myers and J. J. Hamilton, Administrators, &c. — 12 & 388

On consideration of the motion to retax the costs in these cases, It is ordered by the Court that the Clerk's fee for supervising the printing of the record in case No. 12, and the cost of printing same in this Court be taxed against the appellee in case No. 388, to be with case No. 12 as one case, by stipulation of counsel.

per Mr. Chief Justice Fuller.

Charles C. May, Petitioner, vs. The United States — 571.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Charles J. Voorhees and Mr. Rush H. Voorhees in support of the same, with leave to counsel for the respondent to file a brief in opposition thereto, within two weeks.

568 William T. Waggoner et al., Petitioners vs. National Bank of Commerce of Kansas City, Missouri, et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. W. O'Dawes in support of the same

557 The Chicago & Alton Railway Co., Petitioner vs. The United States.

558 John N. Faithorn, Petitioner vs. The United States and

554 Fred A. Wann, Petitioner vs. The United States. The petition for writs of certiorari herein was submitted to the consideration of the Court by Mr Blackburn Esterline, Mr. F. D. Waddell, Mr. Robert Marsh, Mr. John N. Baxter, Mr. Payne and Mr. S. A. Strawn in support of the same, and Mr. Solicitor General Hoyt and Mr. Assistant to the Attorney General Purdy in opposition thereto.

552 The Chicago, Burlington & Quincy Railway Co., Petitioner vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. O

of the same, and a suggestion in relation thereto was submitted by Mr. Solicitor General Hoyt, and Mr. Assistant to the Attorney General Purdy, of counsel for the respondent.

485 Clarence A. Venner, vs. Appellant, Great Northern Railway Company et al. On motion of Mr. Abram J. Rose, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, advanced, pursuant to the 32d rule.

485 Clarence A. Venner, vs. Appellant, Great Northern Railway Company et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Abram J. Rose, Mr. George H. Yeaman and Mr. A. C. Pettit, of counsel for the appellant, and Mr. Julius F. Workum, of counsel for the appellees.

259 North Shore Boom & Driving Co., vs. Plaintiff in Error, Nicomen Boom Company. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. W. Cotton and Mr. James G. Wilson in support of the same, and Mr. W. D. Abel, Mr. James G.

Howe and Mr. Samuel A. Giles in opposition thereto.

Charles Oghbanks, Plaintiff in Error,
vs.
J. N. Armstrong, Trustee, etc.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John B. Chaddock, of counsel for the plaintiff in error, and Mr. John E. Bird and Mr. Henry E. Chase, of counsel for the defendant in error.

Henry Arnold Richardson, Trustee, etc., Petitioner
vs.
John M. Shaw et al.

Mr. Abram L. Ellis, in behalf of counsel for the petitioner suggested the death of Henry Arnold Richardson and the appointment of Alfred W. Putnam as his successor as trustee herein, and moved the Court to make the said Alfred W. Putnam as trustee, etc., the party petitioner herein. Whereupon, It is now here ordered by the Court that the said Alfred W. Putnam as trustee, etc., be and he is hereby, made the party petitioner in this cause.

122 Alfred W. Putnam, Trustee, &c., Petitioners
vs.
John M. Shaw et al.

and

197 Edward S. Thomas et al., Trustees &c., Petitioners
vs.
Anna D. Taggart et al.

The arg
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Brooks o
of counse
the petitio
in No. 12

Louis Marshall, of counsel for the respondent
No. 122; Mr. John Brooks Leavitt of counse
the petitioner in No. 122; Mr. Abram I. E
of counsel for the petitioners in No. 197; Mr
ham Sulzner and Mr. George E. Hall, of
sel for the respondents in No. 197, and concl
by Mr. Abram I. Elkus, of counsel for petitio
in No. 197.

467 Armour Packing Co., Petitioner, vs. The United S
468 Swift & Company, Petitioner, vs. The United S
469 Morris & Company, Petitioner, vs. The United S
470 Cudahy Packing Co., Petitioner, vs The United S

On motion of Mr. Attorney General Bonapa
leave is hereby granted to three counsel to a
these cases orally on behalf of the respond

#167 Armour Packing Co., Petitioner, vs. The United States.
#168 Swift & Company, Petitioner, vs. The United States
#169 Morris & Company, Petitioner, vs. The United States
#170 Cudahy Packing Co., Petitioner vs. The United States.

The argument of these cases was commenced by Mr. Frank Hagerman, of counsel for the petitioners.

Proclamation being made, the Court is adjourned

Tuesday, January 21st, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

(Proclamation being made, the Court is opened.)

On motion first made to the Court in this behalf by Mr. Franklin E. Rapp, it is ordered that Charles Dushkind, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Maynard Harlan, it is ordered that Henry S. McAuley, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

129 United Dictionary Co., Appellant, vs. G. & C. Merriam & Co. On motion of Mr. A. H. Weir, leave is hereby granted him to file a printed brief herein as amicus curiæ.

136. Herring Hall Marvin Safe Co., (Petitioners) vs. Hall's Safe Company et al. It is ordered by the Court that this case be, and the same is hereby passed temporarily per stipulation of counsel.

467 Armour Packing Co., Petitioner, vs. The United States
468 Swift & Company, Petitioner, vs. The United States
469 Morris & Company, Petitioner, vs. The United States
470 Cudahy Packing Co., Petitioner, vs. The United States

The argument of these cases was continued by Mr. Frank Hagerman and Mr. J. C. Cowin, of counsel for the petitioners, and Mr. A. S. Van Valkenburgh, Mr. Assistant to the Attorney General Purdy and Mr. Attorney General Bonaparte, of counsel for the respondent.

Proclamation being made, the Court is adjourned

Wednesday, January 23d, 1907.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John Maynard Harlan, it is ordered that William W. Gurley, Howard M. Carter and Colvin C. H. Tuffle, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Bury, it is ordered that Walter L. Fisher, John R. Montgomery and Will H. Clark, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were

sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar A. Bancs, it is ordered that H. Calvin Chestnut, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Blackburn Esterline, it is ordered that Ralph M. Shaw, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. D. Bacon, it is ordered that Arthur C. Fraser and Domingo A. Usina, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. K. Offield, it is ordered that Walter A. Chamberlin, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas M. Hoyne, it is ordered that John OConnor, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

467 Armour Packing Co., Petitioner, vs. The United States
468 Swift & Company, Petitioner, vs. The United States
469 Morris & Company, Petitioner, vs. The United States
470 Cudahy Packing Co., Petitioner, vs. The United States.

The argument of these cases was concluded by Mr. Frank Hagerman, of counsel for the petitioners.

Nelson Thomasson, Jr., et al, Petitioners
The Chicago Railways Co., et al.

The argument of the petition for the allowance of an appeal herein was commenced by Mr. Henry Crawford, of counsel for the petitioners, and continued by Mr. Henry S. McAuley, of counsel for the petitioners, Mr. George W. Wickersham, Mr. William W. Gurley, Mr. William Burry, and Mr. A. A. Van Brunt, of counsel for the respondents, and concluded by Mr. Henry S. McAuley, of counsel for the petitioners.

Wednesday, January 22d, 1908, continued.

	The First National Bank of Allegheny,	This cause was argued by Mr. Alonzo B. McMillan, of counsel for the appellant, and
123	vs. Appellant,	
	George F. Albright et al.	

submitted on a printed argument by Mr. Frank H. Clancy, of counsel for appellees.

	Edward Corcoran et al.,	This cause was submitted to the consideration of the Court on the printed record by
125	vs. Appellants,	
	Terence O'Brien, Administrator, etc., et al.	

Mr. A. B. Durall, in behalf of counsel for the appellants.

Proclamation being made, the Court is ad-

Thursday, January 23d, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. C. Campbell, it is ordered that Louis C. Fiellen, Esquire, of Roswell, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

No. 814 Nelson Thomasson, Jr., et al., Petitioners
vs
The Chicago Railways Co., et al.

On consideration of the petition for an appeal herein, and of the argument of counsel thereupon had, It is now here ordered by the Court that said petition be, and

jurisdiction

per Mr. Chief Justice Fuller.

General Oil Co.,
128 vs. Plaintiff in Error,
John A. Crain, Inspector, &c.

This cause was argued by Mr. A. J. Livingston, Jr., of counsel for the plaintiff in error, and submitted on a printed argument by Mr Charles T. Cates, Jr., of counsel for the defendant in error.

United Dictionary Co.,
129 vs. Appellant,
G. & C. Merriam Co.

This cause was argued by Mr. William B. Hale, of counsel for the appellee, and submitted on a printed argument by Mr. James A. Pierce, Mr. George P. Fisher, Jr., and Mr. William Henry Dennis, of counsel for the appellant; and leave was granted to the appellant to file an additional brief.

The Cosmopolitan Club,
130 Plaintiff in Error,
The Commonwealth of Virginia.

This cause was argued by Mr. R. Randolph Hicks, of counsel for the plaintiff in error, and Mr. William A. Anderson, of counsel for the defendant in error.

132. Antonio L. Stanton, an infant &c., Plaintiff in Error,
vs.
Samuel W. Campbell.

The argument of this cause was commenced by Mr. W. M. Dominis, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock noon.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justice
Oliver Wendell Holmes.
William R. Day
William H. Moody,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

(Proclamation being made, the Court is opened,

On motion first made to the Court in this behalf by Mr. Chester I. Long, it is ordered, that J. W. Dana, Esquire, of Kansas City, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered, that Franklin E. Brooks, Esquire, of Colorado Springs, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr Robert W. Bonynge, it is ordered that Thomas Ward, Junior, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

115 Joseph J. Slocum et al., Trustees, vs. Appellants, The United States. On motion of Mr. A. B. Browne, of counsel for the appellants,

It is ordered that this cause be, and the same is hereby, passed for settlement.

132 Antoine L. Starr, an infant, etc., vs. Plaintiff in Error, Samuel W. Campbell. The argument of this cause was continued by Mr. W. M. Tomkins, of counsel for the plaintiff in error, and concluded by Mr. Solicitor General Hoyt, of counsel for the defendant in error.

68. William Notley, et al., vs. Plaintiffs in Error, Cecil Brown et al. This cause was argued by Mr. R. M. Morse, of counsel for the plaintiffs in error, and Mr. A. B. Browne and Mr. W. L. Stanley, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned until Monday next at ten o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Rufus W. Peckham, Associate
Joseph McKenna, Justice
Oliver Wendell Holmes
William R. Day
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Burton Parker, it is ordered that George C. Covell, Esquire, of Traverse City, State of Michigan be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Halvor Steenerson, it is ordered that Charles Loring, Esquire, of Crookston, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

that Harold R. Small, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.)

On motion first made to the Court in this behalf by Mr. Ross a. St. Downing, it is ordered that Margaret Lora Coope, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and she was sworn accordingly.)

On motion first made to the Court in this behalf by Mr. Milton D. Purdy, it is ordered that Edward A. Alexander and James K. Knapp, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philander C. Knox, it is ordered that Benjamin H. Schwartz, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.)

On motion first made to the Court in this behalf by Mr. Charles F. Cates, Jr., it is ordered, that Arthur Crownover, Felix D. Lynch, and Frank L. Lynch, Esquires, of Winchester, and Thomas B. Lutes and

of Murfreesboro, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Wayne Parker, it is ordered that Wayne Dumont, Esquire, of Paterson, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Spalding Flannery, it is ordered that Theodore J. Badgley, Esquire, of Montclair, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

95 George R. Elder, Successor in interest to Samuel McMillen, deceased, et al. vs. Tingley S. Hood impleaded with Mary M. Bullard et al. — In Error to the Supreme Court of the State of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by

now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Moody,
announced by Mr. Justice Holmes.

No. 24. The United States vs. A. Graf Distilling Co. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the questions certified must be answered in the negative. Whereupon It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Peckham.

No. 25. Penn Refining Co., Limited, (Plaintiff in Error) vs. Western New York & Pennsylvania Railroad Co., and Samuel G. De Coursey, Receiver thereof, et al. In Error to the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the [illegible]

was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Pennsylvania.

per Mr. Justice Peckham.

Dissenting:
Mr. Justice Moody and
Mr. Justice Harlan.

124 The County Court of Braxton County et al., Plaintiffs in Error, vs. The State of West Virginia ex rel. C. W. Dillon, State Tax Commissioner et al. In Error to the Supreme Court of Appeals of the State of West Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Brewer.

293. William Adair, (Plaintiff in Error) vs. The United States. In error to the District Court of the United States for the Eastern District of Kentucky.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to set aside the verdict and judgment of conviction, sustain the demurrer to the indictment and dismiss the case.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice McKenna and
Mr. Justice Holmes.
(Mr. Justice Moody did not participate in the decision of this case.)

Edward Corcoran & Charles A. Farrell, as Administrators of the estate of Hannah Cullaghan deceased
125 vs. Appellants,
Terence O'Brien, as Administrator of the estate of John Sullivan deceased, and Maria Carran

Appeal from the Circuit Court of the United States for the Western District of Washington

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Washington, and was submitted by counsel without argument. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed, with costs.

per Mr. Chief Justice Fuller

North Shore Boom & Driving Co.,
359 vs. Plaintiff in Error,
Nicomen Boom Company

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller

552. The Chicago, Burlington & Quincy Railway Company, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller

553. The Chicago & Alton Railway Co., Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller

558 John M. Faithorn vs. The United States — Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari hereunto the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice [illegible]

559 Fred A. Wann vs. The United States — Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari hereunto the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice [illegible]

William S. Waggoner,
Robert Housselle and
A. Y. Leslie,
568 vs. Petitioners,
National Bank of
Commerce of Kansas
City, Missouri, et al

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same;
It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court will take a recess from Monday, February 3d to Monday, February 5th next.

Harry B. Mulford, Plaintiff in Error, vs. The United States
Harry B. Mulford, Plaintiff in Error, vs. The United States
Harry B. Mulford, Plaintiff in Error, vs. The United States.

Mr. Solicitor General Hoyt, of counsel for the defendant in error, presented certificates of the Clerk of the Supreme Court of the Philippine Islands, and submitted to the consideration of the Court motions to docket and dismiss these cases pursuant to the 9th rule.

569 Reuben Quicksear, et al., Appellants, vs. Francis E. Leupp, Commissioner, etc., et al. Mr. Solicitor General Hoyt, of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.

502 The People of the State of New York ex rel. August Silz, (Plaintiff in Error,) vs. Henry Hostenberg, Sheriff, etc. Mr. J. B. Coleman, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Ex parte: In the matter of Albert N. Moore, an infant, Petitioner. Mr. Shepard Barclay, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

586 City of St. Charles, Petitioner, vs. Charles A. Stookey. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Shepard Barclay and Mr. Thomas P. Saunderson in support of the same, and leave was granted counsel for the respondent to file a brief in opposition

1193 Laurel Oil & Gas Co., Appellant, vs. Robert W. Morrison et al

Mr. Frank B. Crosthwaite, of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.

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588 Henry Clay Pierce, Petitioner, vs. Edmund P. Creecy, Chief of Police, etc.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. James R. Knapp, Mr. Joseph H. Choate and Mr. Joseph H. Choate, Jr., in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto within three days.

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503 The United States, Plaintiff in Error, vs. John Billy.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Attorney General Bonaparte, and Mr. Assistant Attorney General Cooley, of counsel for the plaintiff in error, and leave was granted counsel for the defendant in error to file a brief within three days, and to counsel for the plaintiff in error to file a reply thereto within two days thereafter.

135 Franklin Bein, (Plaintiff in Error)
vs.
Beverly R. Robinson Receiver &c

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Albert J. Dibell, of counsel for the plaintiff in error, and Mr Roger Foster and Mr Thomas Dunlop, of counsel for the defendant in error.

134 Drumm Flato Commission Co. (Plaintiff in Error)
vs.
R. C. Edmisson

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James S. Botsford, of counsel for the plaintiff in error, and Mr. Elijah Robinson of counsel for the defendant in error.

335 The United States, Appellant,
vs.
The Sisseton & Wahpeton Bands of Sioux Indians

336 and
The Sisseton & Wahpeton Bands of Sioux Indians, Appellants
337 vs.
The United States.

The argument of these cases was commenced by Mr. W. A. Robeson, of counsel for the Indians, and continued by Mr. George M. Anderson, of counsel for the United States, and Mr. Marion Butler of counsel for the Indians.

Proclamation being made the Court is ad-

Tuesday, January 28th, 1908.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody.
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk,

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. W. A. Robeson, it is ordered that J. Wilbur Albright, Esquire, of Nome, Territory of Alaska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. Hamilton, it is ordered that Edmond A. Moore, Esquire, of Youngstown, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James J. Lynch, it is ordered that Albert S. McNeal, Esquire, of Savannah, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

338 The United States, Appellant
vs.
The Sissiton and Wahpeton Bands of Sioux Indians

and

339 The Sissiton and Wahpeton Bands of Sioux Indians, Appellants,
vs.
The United States.

The argument of these cases was concluded by Mr. Marion Butler of counsel for the Indians.

488. James R. Jelton, Revenue Agent, &c., et al., Appellants,
vs.
University of the South.

The argument of this cause was commenced by Mr. Charles S. Cates, Jr., of counsel for the appellants; continued by Mr. James J. Lynch, and Mr. Arthur Crownover, of counsel for the appellee, and concluded by Mr. Felix D. Lynch, of counsel for the appellants.

Thomas Bailey,
1438 vs. (Plaintiff in Error)
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John Randolph Cooper, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Cooley, of counsel for the defendant in error.

(Proclamation being made the Court is adjourned until tomorrow, at twelve o'clock.

Wednesday, January 29th, 1908.

Pursuant to adjournment, the Court met today at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Judson Harmon, it is ordered that Lewis M. Ogden, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

147 Juan Garcia Bosque, Plaintiff in Error,
vs.
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edgar W. Camp, of counsel for the plaintiff in error, and Mr.

Guy Le Roy Stevens as Receiver of the Denver Savings Bank, vs. The National Bank of North America in New York, Plaintiff in Error, } In Error to the Circuit Court of the United States for the District of Colorado.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

No. 475

United Land Association et al., vs. Louis Abrahams et al. Plaintiffs in Error } These causes were argued by Mr. C. A. Keiguin, of counsel for the plaintiffs in error, and Mr. W. B. Treadwell, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

(Pursuant to adjournment the Court met today at the Capitol

(Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

136 Herring Hall-Marvin Safe Company, vs. Hall's Safe Co., et al. Petitioner, This cause was argued by Mr Lawrence Maxwell, Jr., of counsel for the petitioner, and Mr. William C. Cochran and Mr. Judson Harmon, of counsel for the respondents.

137 Ely Berways, vs. The United States Appellant This cause was argued by Mr. Sigmund Zisler, of counsel for the appellant, and submitted on a printed argument by Mr. Assistant Attorney General Thompson and Mr. H. C. Campbell, of counsel for appellee.

Friday, January 31st, 1896

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm. Augustus O. Bacon, it is ordered that Robert M. Hitch, Esquire, of Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

138 Mary B. Dun, et al, Executors and Trustees etc, Appellants. vs. The Lumbermen's Credit Association, et al

The argument of this cause was commenced by Mr. John Connor, of counsel for the appellants, continued by Mr. Charles O. Louck, and Mr. Eva H. Alwood, of counsel

for the appellees, and concluded by Mr. Charles K. Offield, of counsel for the appellants.

(Proclamation being made, the Court is ad-

Monday, February 3d, 1908

Pursuant to adjournment the Court met today at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R Day
William H. Moody
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Ernest L. Roberts, it is ordered that Frank L. Simpson, Esquire, of Lynn, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Moses E. Clapp, it is ordered that Harvey D. Clapp, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Lamar, it is ordered that Chauncey W. Marlyn, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Chester L. Long, it is ordered that Charles E. Bulon, Esquire, of Fort Scott, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. William A. Redding, it is ordered that John C. Kerr, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. J. Darlington, it is ordered that Richard A. Ford, Esquire, of Washington District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr A. B. Browne, it is ordered

State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

106. James H. Donnell, Petitioner, vs. Herring-Hall-Marvin Safe Company (a Hall Safe & Lock Company) — On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Illinois, for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Holmes.

124. United Dictionary Co., Appellant, vs. G. & C. Merriam Co. — Appeal from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit

argued by counsel On consideration whereof It is now here ordered adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Northern District of Illinois.

per Mr. Justice [illegible]

81 The Minneapolis, St. Paul & Sault Ste Marie Railway Co., Plaintiff in Error, vs. Thomas Doughty. In Error to the Supreme Court of the State of North Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice McKenna

101 The Missouri Valley Land Co., and The Iowa Railroad Land Co., Plaintiffs in Error, vs. Amos Wise. In Error to the Supreme Court of the State of Nebraska.

of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice White.

The Missouri Valley Land Co., &c.
The Iowa Railroad Land Co.,
vs
Carsten Wrieck

102. (Plaintiffs in Error)

In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice White.

Ex parte: In the matter of Albert N. Moore, an infant by his next friend George Safford, Petitioner.

17 Original.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller

Ex parte: In the matter of Albert N. Moore, an infant, by his next friend George Safford, (Petitioner.

1/ Original

On consideration of the petition herein, It is now here ordered by this Court that cause be shown by the Circuit Court of the United States for the Eastern Division of the Eastern Judicial District of the State of Missouri, before this Court at the City of Washington, on Monday, February 24th, 1908, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

per Mr. Chief Justice Fuller.

Laurel Oil & Gas Company, Appellant.
vs.
Robert W. Morrison et al.

493.

On consideration of the motion to advance this cause, It is here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th, 1908, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

502. The People of the State of New York ex rel. August Belz vs. Henry Waterbury, Sheriff, &c. Plaintiff in Error. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Thursday, October 31st, 1908, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

569. Reuben Quick-bear et al. vs. Frances E. Leupp, Commissioner, &c., et al Appellants, On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 24th, 1908, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

588 Henry Clay Pierce vs. Edmund P. Creecy, Chief of Police of the City of St. Louis. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit

of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr Chief Justice Fuller

110 The Wabash Railroad Co, Plaintiff in Error, vs. The Adelbert College of the Western Reserve University, et al. It is ordered by the Court that leave be, and the same is hereby, granted to counsel for both sides to file printed briefs herein on or before Monday, the 24th instant, on the motion to modify the judgment of this Court in this cause.

per Mr. Chief Justice Fuller

389. District Locomotive et al., vs. Martin Lawlor et al. Transcript of certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the Circuit Court of the United States for the District of Connecticut, in this cause be, and the same is hereby, reversed with costs; and that this

to the said Circuit Court with a direction to proceed in conformity with the opinions of this Court.

Per Mr Chief Justice Fuller.

547. The United States, Appellant; vs. The Chandler-Dunbar Water Power Company

Mr. Solicitor General Hoyt, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

547 Charles M. Smith, Senior, et al., Petitioners. vs. The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. S. Worthington and Mr. R. B. Olwin in support of the same, and Mr. Solicitor General Hoyt and Mr. Assistant Attorney General Russell in opposition thereto, and leave was granted counsel for the respondent to file an additional brief herein within three days.

575 Joseph Paolucci, Petitioner vs. The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Wilton J. Lambert in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

594. County of Hamilton, Illinois, vs. Montpelier Savings Bank & Trust Company. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Samuel Hochheimer and Mr. Charles K. Holden in support of the same, and Mr. John F. Dillon, Mr. Harry Hubbard and Mr. Chester B. Masslich in opposition thereto.

593. Max Alexander, vs. Mills B. Lane et al Executors, &c., et al. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Garrard Glenn, Mr. William Garrard and Mr. P. H. Meldrim in support of the same, and Mr. Robert M. Hitch in opposition thereto.

97. The Yazoo and Mississippi Valley Railroad Co., vs. The Mayor and Aldermen of the City of Vicksburg. Appellant. On motion of Mr. Hannis Taylor, of counsel for the appellee, It is ordered by the Court that the cause be, and the same is hereby, assigned for argument on Monday, the 24th instant, after the cases heretofore assigned for that day

George A. Treadwell, Jr., and
F. C. Beckwith,
187. vs. Appellants,
George O'Mara.

Mr. Charles M. Desmond, of counsel for the appellants, submitted to the consideration of the Court a suggestion of the death of F. C. Beckwith, one of the appellants herein, and, also, a motion to continue the case until the next term.

Fisher Book Typewriter Co., et al.,
589. vs. Petitioners
Frederic W. Hilliard,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William A. Redding in support of the same, and Mr. John C. Kerr and Mr. Thomas B. Kerr in opposition thereto.

Proclamation being made, the Court is adjourned until Monday, the 24th instant, at 12 o'clock M.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John W. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that Edward S. Hill, Esquire, of McAlester, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton D. Purdy, it is ordered that A. V. Mercer, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chester C. Cole, it is ordered that Charles W. Lyon and John T. Mulvaney, Esquires, of Des Moines, State of Iowa, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Murphy J. Foster, it is ordered that A. P. Pujo, Esquire, of Lake Charles, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas M. Henry, it is ordered that W. K. Jennings, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. A. Mosely, it is ordered that Luther M. Walker, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Spalding Flannery, it is ordered

State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Wm. John G. Carlisle, it is ordered that William A. Elliott, Esquire, of New York City, and L. J. Crawford, Esquire, of Newport, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Wm. A. P. Thom, it is ordered that Lucian H. Cocke, Esquire, of Roanoke, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. W. E. Borah, it is ordered that Jesse Bryan Poole, Esquire, of Butte, State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. F. B. Croschwaite, it is ordered that Dan B. Goodwin, Esquire, of Ft. City,

practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Johnson, it is ordered that Ralph Crews, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Hemingway, it is ordered that Lewis Rholon, James A. Stevenson, and F. Guy Fuex, Esquires, of Little Rock, State of Arkansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Wilson, it is ordered that Ernest R. Lilly, Esquire, of Harrisburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that John A. Goodrich, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was

285 Clarence A. Venner vs. Great Northern Railway Co., and James J. Hill, Appellant. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Moody.

6 W. H. Hairston, Administrator of Ann M. Hairston, deceased, vs. The Danville & Western Railway Co. In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Moody.

Mary B. Dun, Robert Dun Douglass, Francis L. Minton, and Walter D. Buchanan, Executors and Trustees under the will of Robert G. Dun, deceased, Appellants, vs. The Lumbermens Credit Association et al

138. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Illinois.

Per Mr. Justice Moody.

The Discontogesellschaft, (Plaintiffs in Error,) vs. Augustus C. Umbreit

69. In Error to the Circuit Court of Milwaukee County, (Branch No. 1) State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of Milwaukee County (Branch No. 1) State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Day

Northern Pacific Railway Co., Plaintiff in Error, vs. The State of Minnesota upon the relation of the City of Duluth. } In Error to the Supreme Court of the State of Minnesota

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This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Day

Hyde-Smith Music Publishing Company, Petitioner vs. Apollo Company. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

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On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted

the record on appeal to stand as a return to the writ.

per Mr. Justice Day.

110 White Smith Music Publishing Co., vs. Apollo Company. Appellant. Appeal and writ of certiorari from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

per Mr. Justice Day.

111 White Smith Music Publishing Co., vs. Apollo Company. (Petitioner) On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereon, [illegible]

will be in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, granted, the record on appeal to stand as a return to the writ.

Per Mr. Justice Day.

111 White-Smith Music Publishing Co., Appellant, vs. Apollo Company. Appeal from and writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs, and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice Day.

51 George C. Rankin, Receiver of The Capitol National Bank of Guthrie, Oklahoma Ty., Plaintiff in Error, vs. The City National Bank of Kansas City, Missouri. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Missouri.

Per Mr. Justice Holmes.

Dissenting:
Mr Justice White
Mr. Justice McKenna.

123. The First National Bank of Albuquerque, vs. Appellant, George H. Albright, Frank A. Hubbell & F. W. Clancy.

Appeal from the Supreme Court of ~~the United States for~~ the Territory of New Mexico

This cause came on to be heard on the transcript of the record from the Supreme Court of the ~~United States for the~~ Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr Justice Holmes.

Herring Hall Marvin Safe Company,
136. vs. Petitioner
Hall's Safe Company
Edward C. Hall,
William H. Hall, and
Charles O. Hall

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be modified so as to forbid to Hall's Safe Company the use of the name Hall, either alone or in combination, in corporate name, on safes, or in advertisements, unless accompanied by information that the defendant is not the original Hall's Safe and Lock Company or its successors, or as the case may be, that the article is not the product of the last named company or its successors, and, as so modified, that said decree be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Ohio.

Per Mr. Justice Holmes.

335 The United States, Appellant,
vs.
The Sisseton and Wahpeton Bands of Sioux Indians.

334 The Sisseton and Wahpeton Bands of Sioux Indians, Appellants,
vs.
The United States.

Appeals from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be modified as indicated in the opinion of this Court, and, as so modified, be and it is same is hereby, affirmed.

per Mr. Justice Holmes.

Dissenting:
Mr. Justice McKenna.

78 A. W. Bennett, Plaintiff in Error and Appellant,
vs.
Sarah Grace Bennett.

In Error to and Appeal from the Supreme Court of Territory of Okla.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that

of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Oklahoma.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Brewer.

163 A. C. Cravy et al., vs. Plaintiffs in Error, Benjamin A. Dye and William B. Childers. In Error to the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed, with costs.

Per Mr. Justice McKenna.

Antonio C. Marr, an infant, by his guardian, A. Frances Simkins, vs. Plaintiff in Error, Samuel W. Campbell. In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript

United States for the Western District of Wisconsin and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

139. Thurmon Flats Commission Co., vs. R. L. Edmisson. (Plaintiff in Error) In Error to the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Oklahoma.

Per Mr. Justice McKenna.

113. Ferdinand Phillips, vs. The City of Mobile. (Plaintiff in Error) In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On

consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Peckham.

Edward E. Richard & Ralph C. Richard, partners as S. Richard & Sons,
112. vs. Appellants,
The City of Mobile

Appeal from the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Peckham.

Charles Leighbuurks,
435 vs. Plaintiff in Error,
A. N. Armstrong, Warden of the State Prison at Jackson, Michigan

In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the

Our consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Peckham.

Dissenting:
Mr. Justice Harlan.

James K. Jellon, Revenue Agent of the State of Tennessee, David I. Osborne, Trustee of Franklin County, Tennessee, and The County of Franklin,

1188. vs. Appellants,

University of the South.

Appeal from the Circuit Court of the United States for the Middle District of Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Peckham.

535. Franklin Bien, Plaintiff in Error, vs. Beverly R. Robinson, Receiver of the property and assets of the Haight & Freese Company. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

536. Concepcion Calvo, Appellant, vs. Angeles O Delsuterinez and Edwards Chiluerez, her husband. Appeal from the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice White.

68. William Notley, Charles Notley and Maria Hughes, vs. Cecil Brown & Anthony Lidgate, proponents of the will of Charles Notley, deceased, et al. (Plaintiffs in Error) — In Error to the Supreme Court of the Territory of Hawaii.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr Justice White.

69. Great Northern Railway Co., Petitioner vs. The United States. — On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota

Per Mr. Justice White.

R. M. Hemmingsen and Edward W. Clark, Copartners &c. Appellants, vs. United States Fidelity & Guaranty Co. of Baltimore, Maryland et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Washington.

per Mr. Justice Brewer

Court Muller, Plaintiff in Error, vs. The State of Oregon. In Error to the Supreme Court of the State of Oregon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in

Jacob Bassing,
vs. (Plaintiff in Error)
Philo V. Lady, Sheriff of
Bristol County, State of
Rhode Island.

In Error to the
Superior Court of
the State of Rhode
Island.

This cause came on to be heard on the transcript
of the record from the Superior Court of the State
of Rhode Island, and was argued by counsel.
On consideration whereof, It is now here ordered
and adjudged by this Court that the judgment
of the said Superior Court, in this cause, be, and
the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

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The Cosmopolitan Club,
vs. (Plaintiff in Error)
The Commonwealth of Virginia.

In Error to the
Supreme Court of Appeals
of the State of Virginia.

This cause came on to be heard on the transcript
of the record from the Supreme Court of Appeals
of the State of Virginia, and was argued by coun-
sel. On consideration whereof, It is now here
ordered and adjudged by this Court that the
judgment of the said Supreme Court of Appeals,
in this cause be, and the same is hereby, affirmed
with costs.

Per Mr. Justice Harlan.

The United States.
vs. Plaintiff in Error
John Bell

In Error to the Circuit Court of the United States for the Southern District of [illegible]

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to set aside the order dismissing the indictment and overrule the demurrer, and for such further proceedings as will be consistent with the opinion of this Court.

per Mr. Justice Hanban

The Atlantic Trust Co.
vs. Petitioner
Edgar L. Chapman, Receiver of the Woodbridge Canal and Irrigation Company, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration

and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California for such proceedings as will be consistent with the opinion of this court and be in conformity with law.

per Mr. Justice Harlan.

George Dietz,
vs. (Plaintiff in Error)
The United States.

In Error to the District Court of the United States for the District of Idaho.

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This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

Alberto Armstrong as liquidator of the firm of Boyd and Company,
vs. Appellant.
Eduardo Fernandez, Juan Bautista Pachico and Juana Fubera.

Appeal from the District Court of the United States for Porto Rico.

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of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller

77. R. Allyn Lewis and Laelia M. Lewis, vs. Appellants, Fred Herrera, Receiver of The International Banking Corporation

Appeal from the Supreme Court of the Territory of Arizona

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller

The Cleveland Terminal & Valley Railroad Co. and The Detroit & Cleveland Navigation Co. vs. The Cleveland Steamship Company, Appellants

Appeal from the District Court of the United States for the Northern District of Ohio

of the record from the District Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Duluth & Superior Bridge Co., Appellant, vs. Steamer "Troy," her boilers, engines &c. } Appeal from the District Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

356 The United States, Plaintiff in Error, vs. Adriance A. Larkin, Intervenor, Claimant of one ring set with two cabochon rubies surrounded with eight small diamonds, } In Error to the District Court of the United States for the Northern District of Ohio.

the record from the District Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, for the want of jurisdiction.

per Mr Chief Justice Fuller

575 Joseph Paolucci, Petitioner vs. The United States. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

586 City of St. Charles, Petitioner vs. Charles A. Moody. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as

is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

587. Fisher Book Typewriter Company et al., Petitioners vs. Frederic W. Shiland. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

592. Max Alexander, Petitioner vs. Mills B. Lane, John W. Mollo, and D. C. Ashley, as Executors of the will of John R. Young et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here

the same is hereby, denied.

Per Mr. Chief Justice Fuller.

County of Hamilton, Illinois (Petitioner) vs. Montpelier Savings Bank & Trust Company. 391. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Charles M. Smith, Jr., et al., (Petitioners, vs. The United States) 597. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

George A. Treadwell and
F. C. Beckwith,
184. vs. Appellants,
George O. Marrs.

On consideration of the motion to continue this cause until the next term, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

The United States,
547 vs. Appellant,
The Chandler-Dunbar
Water Power Company.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on Monday, April 6th next.

per Mr. Chief Justice Fuller.

United Land Association
and Clinton C. Phipps,
5. vs. Plaintiffs in Error,
Lewis Abrahams, O. P. Allen,
Thomas D. Allen et al.

In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment

the same is hereby, affirmed with costs.

Per Mr. Chief Justice Taney.

United Land Association &c.
Chilton &c. Tripp,
4. vs. Plaintiffs in Error,
Louis Abrahams, O. P. Allen
Thomas D. Allen et al.

In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Taney.

Ely Berry's,
137. vs. Appellant,
The United States.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

572 James R. Garfield, Secretary &c., vs. Plaintiff in Error,
United States ex rel. John E. Goldsby

573 James R. Garfield, Secretary &c., vs. Plaintiff in Error,
United States ex rel. Ida A. Allison

James R. Garfield, Secretary &c., vs. Plaintiff in Error,
United States ex rel. George A. Allison

Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance these cases.

606 Robert R. Prentis et al., &c., vs. Appellants,
Atlantic Coast Line Railroad Co.

607 Robert R. Prentis et al., &c., vs. Appellants.
Chesapeake & Ohio Railway Co.

610 Robert R. Prentis et al., &c., vs. Appellants,
Norfolk & Western Railway Co.

611 Robert R. Prentis et al., &c., vs. Appellants,
Southern Railway Co.

Mr. A. P. Thom, of counsel for the appellees, submitted to the consideration of the Court motions to advance these cases.

532 John F. Haffner, vs. Appellant,
Michael Dobrinski et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. C. C. Hansbury in support of the same.

Bradley W. Palmer et al,
635 vs. Petitioners,
State of Texas et al

The motion to advance this cause was submitted to the consideration of the Court by Mr. A. S. Burleson on behalf of counsel for the respondents.

Emilie Saxlehner,
632 vs. Petitioner
Edward Wagner et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Fritz v. Briesen, Mr. Archibald von Briesen, Mr. Anselm Knauth and Mr. Francis T. Reed in support of the same, and Mr. Walter S. Murray in opposition thereto.

George O. Lockhart et al.,
637 vs. Petitioners
George H. Bucks

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Samuel T. Fisher, Mr. Ernest Wilkinson and Mr. Otto Raymond Barnett in support thereof and Mr. William L. Martin in opposition thereto.

601. W. D. Munson, Petitioner vs. Standard Marine Insurance Co., Limited.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Eugene P. Carver and Mr. Philip Wardner in support of the same, and Mr. James Emerson Carpenter, Mr. Samuel Park, and Mr. James A. Symmers in opposition thereto.

204. Charles Scribner et al., &c., Appellants vs. Isidor Straus et al.

205. Charles Scribner's Sons, Incorporated, Appellant vs. Isidor Straus et al.

The motion to advance these cases for argument immediately after case No. 176 was submitted to the consideration of the Court by Mr. Stephen A. Olin, of counsel for the appellants.

510. Northwestern Elevated Railroad Company, (Plaintiff in Error) vs. Peabody Coal Co., et al.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Horace Kent Tenney in support of the same, and Mr. Clarence A. Knight in opposition thereto.

Leeds and Catlin Co.,
307 vs. Petitioners
308 Victor Talking Machine Co., et al.

The motion to require the petitioners to give additional security herein was submitted to the consideration of the Court on printed arguments by Mr. Horace Pettit in support of the same, and Mr. Louis Hicks in opposition thereto.

Wallace P. Cook et al.,
590 vs. Petitioners
Timothy Foley et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. George P. Wilson in support of the same, and leave was granted counsel for the respondents to file a brief in opposition thereto hereafter.

The Colorado and Northwestern Railroad Company,
634 vs. Petitioner
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr John L. Thomas and Mr. E. E. Whitted in support of the same.

595 Mrs. Annie E. Pinman, vs. St. Paul Fire & Marine Insurance Company. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John Spalding Flannery, Mr. Frederic D. McKenney and Mr. A. J. Smith in support of the same, and Mr. W. R. Jennings in opposition thereto.

604. Victor Burset et al., vs. Appellants, Maria Rios de Rubio. On motion of Mr. George N. Lamar, of counsel for the appellants, It is ordered that this cause be, and the same is hereby, advanced for argument with cases Nos. [illegible].

600 J. N. Friday et al., vs. Petitioners Hall & Paul Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Richard A. Ford in support of the same.

612 Franklin N. Dailey, vs. Petitioner, Blanche Lowe Dailey. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. A. Prescott Dailey and Mr. Barry Mohun in support of the same.

The United States Life Insurance Co. in the City of New York,
1145 vs. Plaintiff in Error,
Harry Spinks.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. L. J. Crawford and Mr. J. A. Hazlrigg in support of the motion.

Hammond Packing Co.,
271 vs. Plaintiff in Error,
State of Arkansas.

The argument of this cause was commenced by Mr. W. E. Hemingway, of counsel for the plaintiff in error, and continued by Mr. Lewis Rhodes, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned.

Thursday, February 25th, 1904.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
~~David J. Brewer~~
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody,
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Chester D. Long, it is ordered that John C. Nicholson, Esquire, of Newton, and Carr W. Taylor, Esquire, of Hutchinson, State of Kansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. J. Hopkins, it is ordered that Nathan Williams MacChesney, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this

On motion first made to the Court in this behalf by Mr. Henry M. Teller, it is ordered that William V. Hodges, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. VanRhelen Weeks, it is ordered that David Rumsey, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. L. Weems, it is ordered that Alfred A. Mitchell, Esquire, of St. Clairsville, and Cook Dauford, Esquire, of Bellaire, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

237 Hammond Packing Co., Plaintiff in Error, vs. State of Arkansas

The argument of this cause was continued by Mr. Lewis Rhodes and Mr. J. A. Stevenson, of counsel for the defendant in error, and concluded by Mr. John G. Johnson, of counsel for the plaintiff in error.

390 The United States
vs. (Plaintiff in Error,)
Edward A. Shaupe.

The argument of this cause was commenced by Assistant Attorney General Cooley, of counsel for the plaintiff in error; continued by Mr. J. M. McCormick, of counsel for the defendant in error, and concluded by Mr. Attorney General Bonaparte, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William E. Ambrose, it is ordered that Clarence De Roy Parker, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. E. Littlefield, it is ordered that Elmer Pearl Stafford, Esquire, of Deer Isle, State of Maine, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

this behalf by Mr. Thomas Hackney, it is ordered that Isaac N. Watson, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

593. Charles Thomas, Plaintiff in Error, vs. The State of Texas. The argument of this cause was commenced by Mr. C. C. Cole, of counsel for the plaintiff in error; continued by Mr. Charles W. Lynn, of counsel for the defendant in error, and concluded by Mr. John T. Mulvaney, of counsel for the plaintiff in error.

569. Reuben Quick Bear et al., Appellants, vs. Francis E. Leupp, Commissioner, &c., et al. The argument of this cause was commenced by Mr. Charles C. Binney, of counsel for the appellants, and continued by Mr. Edgar A. Bancs, of counsel for the appellees.

Proclamation being made, the Court is ad-

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk,

Proclamation being made, the Court adjourned.

On motion first made to the Court in this behalf by Mr. Joseph Holt Gaines, it is ordered that Andrew Price, Esquire, of Marlinton, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

* (See next page)

141 Juan R Garzot et al, Appellants, vs Maria Rios de Rubio.
142 Victor Burset et al, Appellants, vs. Maria Rios de Rubio
604 Victor Burset et al, Appellants, vs Maria Rios de Rubio.

The argument of these cases was commenced by Mr. N. B. D. Pettingill, of counsel for the

(1) McKenney and Mr. Francis A. Dexter, of counsel for appellee.

* Reuben Quick Bear et al., Appellants,
vs.
Francis E. Leupp, Commissioner, &c., et al.

569.

The argument of this cause was continued by Mr. Solicitor General Hoyt, of counsel for the appellees, and concluded by Mr. Hampton L. Carson, of counsel for the appellants. Leave was granted counsel for both sides to file additional briefs herein on or before March 2d.

(Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorables Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody

John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court on the behalf by Mr. Frederick D. McKenney, it is ordered that Mortimer W. Byers, Esquire, of Brooklyn, State of New York, and Henry L. Schaertzer, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

111 Juan R. Garzot et al., Appellants, vs. Maria Rios de Rubio
112 Victor Burset et al., Appellants, vs. Maria Rios de Rubio
and
011 Victor Burset et al., Appellants, vs. Maria Rios de Rub...

The argument of these cases was continued by Mr. Frances A. Dexter, of counsel for appellee, and concluded by Mr. George A. Lamar, of counsel for the appellants. Leave was granted to counsel for the appellants to file an additional brief herein on or before March 2d.

Yazoo and Mississippi Valley Railroad Company, Appellant,
97 vs.
Mayor and Aldermen of the City of Vicksburg.

This cause was argued by Mr. Edward Mayes of counsel for the appellant, and Mr. Harris Taylor, of counsel for the appellees.

Doña Maria Francisca O'Reilly de Camara, Countess of Buena Vista, Plaintiff in Error,
104 vs.
John R. Brooke, Major General, U.S.A.

The argument of this cause was commenced by Mr. Frederic R. Coudert, of counsel for the plaintiff in error, and continued by Mr. Assistant Attorney General Russell, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until Monday next at [illegible]

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Esquire, Clerk.

Proclamation being made the Court was opened,

On motion first made to the Court on its behalf by Mr. Edward T. Sanford, it is ordered, Ellis Cocke, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr Robert J. Gamble, it is ordered, Francis O'J McConnell, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Charles Curtis, it is ordered that Miles A. Campbell, Esquire, of Iola, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Moses E. Clapp, it is ordered that Norman E. Peterson, Esquire, of Albert Lea, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1138 Thomas Baille, Plaintiff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Southern District of Ga.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed.

per Mr. Justice Holmes.

Charles Scribner et al., as Charles Scribner's Sons,
204 vs. Appellants,
Isidor Straus et al.
and
Charles Scribner's Sons,
Incorporated,
205 vs. Appellant,
Isidor Straus et al.

On consideration of the motions to advance these causes, it is now here ordered by the Court that said motions be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

Leeds & Catlin Co.,
37 vs. Petitioner,
308 Victor Talking Machine Company, et al.

On consideration of the motion to require the petitioner to give additional security, and of the argument of counsel thereupon had as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The United States Life Insurance Company in the City of New York,
215 vs. Plaintiff in Error,
Harvey Spinks.

In Error to the Court of Appeals of the State of Kentucky.

This cause coming on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and on a motion to dismiss

consequence, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice Fuller

John F. Haffner,
5 & 22. vs. Appellant,
Michael Dobranski et al.

It is ordered by the Court that the further consideration of the motion to dismiss in this cause, be and the same is hereby postponed until the record is printed or so much thereof as to enable the Court to pass on the motion without referring to the transcript.

per Mr. Chief Justice Fuller.

Bradley M. Palmer et al.,
Petitioners,
vs.
The State of Texas et al.

On consideration of the motion to advance this cause.

It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 6th next, after the case heretofore assigned for that day.

per Mr. Chief Justice Fuller

Northwestern Elevated Railroad Company, Plaintiff in Error, vs. Peabody Coal Company et al.

In Error to the Supreme Court of the State of Illinois

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

James Rudolph Garfield, Secretary of the Interior, Plaintiff in Error, vs. The United States ex rel. John E. Goldsby

James Rudolph Garfield, Secretary of the Interior, Plaintiff in Error, vs. The United States ex rel. Ida A. Allison

James Rudolph Garfield, Secretary of the Interior, Plaintiff in Error, vs. The United States ex rel. Charles A. Allison

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cases as

October 13th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller

606. Robert R. Prentis, et al., &c., vs. Atlantic Coast Line Railroad Co. — Appellants.

607. Robert R. Prentis et al., &c. vs. The Chesapeake & Ohio Railway Co. — Appellants.

610. Robert R. Prentis et al., &c. vs. Norfolk & Western Railway Co. — Appellants.

611. Robert R. Prentis et al., &c., vs. Southern Railway Co. — Appellants.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cases assigned for argument as one case on Tuesday, October 13th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller

571. Charles C. May, Petitioner, vs. The United States. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now here ordered by

same is hereby denied.

per Mr. Chief Justice White.

597 Wallace P. Cook et al., Petitioners, vs. Timothy Foley et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same; It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice White.

598. Mrs. Annie E. Pinman, Petitioner, vs. St. Paul Fire & Marine Insurance Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice White.

J. H. Friday et al., Petitioners, vs. Hull & Hand Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

600 H. D. Munson, Petitioner vs. Standard Marine Insurance Co., Limited. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied,

per Mr. Chief Justice Fuller.

612 Franklin H. Seley, Petitioner vs. Rauch & Lowe Seley. On petition for writ of certiorari to the Court of Appeals of the District of Columbia.

certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same; It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

632. Emile Zeyleheer, Petitioner, vs. Edward Wagner et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

634. The Colorado & Northwestern Railroad Company, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition

627	George C. Lockling et al., vs. Charles A. Buck.	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

557	Chicago & Alton Railway Co., Petitioner vs. The United States.	Mr. Solicitor General Hoyt, of counsel for the respondent, submitted to the consideration of the Court a motion to advance these cases.
558	John M. Faithorn, Petitioner vs. The United States.	
559	Fred A. Wann, Petitioner vs. The United States.	

625 The United States, Plaintiff in Error, vs. F. W. Keitel et al.
626 The United States, Plaintiff in Error, vs. Robert Forrester et al.
630 The United States, Plaintiff in Error, vs. Charles E. Herr et al.
631 The United States, Plaintiff in Error vs. Charles E. Herr.

Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, submitted to the consideration of

627. The United States, Plaintiff in Error, vs. Charles E. Shaw, [illegible]
628. The United States, Plaintiff in Error, vs. Edgar W. [illegible]
629. The United States, Plaintiff in Error, vs. Alexander [illegible]

Mr Solicitor General Hoyt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance these cases.

519. Harper M. Crabood, Petitioner, vs. Arthur M. Eppstein, Trustee. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Harvey Riddell in support of the same, and Mr. Simon Wolf and Mr. Myer Cohen in opposition thereto.

645. Henson Collier, Petitioner vs. Missouri, Kansas & Texas Railway Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. William Warner in support of the same.

613. The Central Coal & Coke Co, Petitioner vs. Doc W. Sutton. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Holmes Conrad in support of the same,

Gustave A Jahnel et al.,
vs.
The Steamship "Solmina" &c

The petition for a writ of certiorari herein to bring up the entire record and cause was submitted to the consideration of the Court on printed arguments by Mr. J. Parker Kirlin and Mr. John M. Woolsey in support of same, and Mr. Frederick M. Brown in opposition thereto

No. 646.

Niobrara Land & Cattle Co.,
vs. Petitioner
Miller and Lux

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Frederic D. McKenney in support of the same.

No. 656.

Scruggs, Vandervoort & Barney Dry Goods Company,
vs. Petitioner,
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Everit Brown in support of the same, with leave to counsel for the respondent to file a printed brief in opposition thereto on or before Friday next.

The Railroad Commission of Louisiana,
vs. Appellant,
Cumberland Telephone & Telegraph Company

Mr. E. Howard McCaleb, Jr., of counsel for the appellant, submitted to the consideration of the Court a motion to advance the cause.

Adolfo Leyba,
186. vs. Plaintiff in Error,
Laureano Barrio

In Error to the District Court of the United States for Porto Rico

It appearing to the Court that a motion of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Doña Maria Francisca O'Reilly de Camara, Countess of Buena Vista,
104 vs. Plaintiff in Error,
John R. Brooke, Major General, U. S. A.

The argument of this cause was continued by Mr. Assistant Attorney General Russell, of counsel for the defendant in error, and concluded by Mr.

The Shawnee Compress Co, et al.,
vs. Appellants,
Neil V. Anderson et al.

The argument of this cause was commenced by Mr B. B. Blakeney, of counsel for the appellants, and continued by Mr. Andrew Wilson, of counsel for the appellees.

(Proclamation being made the Court is adjourned

Tuesday, March 3d, 1903.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened,

On motion first made to the Court in this behalf by Mr. George Sutherland, it is ordered that Wilson L. Snyder, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

140 The Shawnee Compress Co. et al, Appellants, vs. Neil P. Anderson et al.

The argument of this cause was continued by Mr. Andrew Wilson and Mr. James K. Kealon, of counsel for

Blakeney, of counsel for the appellants.

1443. The Municipality of Ponce, Appellant, vs. The Roman Catholic Apostolic Church in Porto Rico.

This cause was argued by Mr. Frederic R. Coudert and Mr. Howard Thayer Knigstun, of counsel for the appellee, and the cause was submitted on a printed argument by Mr. F. L. Cornwell, of counsel for the appellant.

1444. Jesse Hoyt Smith, Appellant, vs. William J. Rainey, et al.

The argument of this cause was commenced by Mr. Lewis M. Ogden, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Wednesday, March 11th, 1903

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Leonidas Dennis, it is ordered that Herbert A. Heyn, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. S. Worthington, it is ordered that Chester M. Prall, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that A. C. Ricketts and Allen W. Field, Esquires, of Lincoln, State of Nebraska, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

335 The United States, Appellant,
vs.
The Sisseton and Wahpeton Bands of Sioux Indians, et al.

On motion of Mr. Marion Butler, of counsel for the Indians, leave is hereby granted the Clerk to issue the mandate in these cases.

337 The Sisseton and Wahpeton Bands of Sioux Indians, Appellants,
vs.
The United States.

Jesse Hoyt Smith, Appellant,
vs.
William J. Rainey et al.

The argument of this cause was concluded by Mr. Lewis M. Ogden, of counsel for the appellant, and the cause was submitted, on a printed argument by Mr. Walter Bennett, of counsel for the appellee.

J. B. Beadles, Plaintiff in Error and Appellant,
vs.
A. E. Dwyer, Mayor, &c., et al.

This cause was argued by Mr. A. G. C. Bierer, of counsel for the plaintiff in error and appellant. No coun-

Napoleon B. Dobson,
148 vs. Plaintiff in Error,
William A. Milliken

The argument of this cause was commenced by Mr. R. Burnham Moffat, of counsel for the plaintiff in error, and continued by Mr. J. J. Darlington, of counsel for the defendant in error.

Proclamation being made, the Court is

Thursday, March 5th, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody, Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William Sulzer, it is ordered that Clarence A. Hannum, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly:

On motion first made to the Court in this behalf by Mr. R. W. Bonynge, it is ordered that John A. Mosby, Junior, Esquire, of Washington, District of Columbia, and Frederic R. W. Sumborn, Esquire of Denver, State of Colorado, be admitted to practice as attorneys and counsellors of this Court,

Rickey Land and Cattle Co,
153 vs. (Petitioner
Henry Woodward et al

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Prudence P. McKinney, in support of the

Napoleon B. Dobson.
148 vs. (Plaintiff in Error,
William H. Wilkins.

The argument of this cause was concluded by Mr. A. L. Worthington, of counsel for the plaintiff in

John Boyd,
151 vs. (Plaintiff in Error,
State of Texas.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. M. Garwood, of counsel for the plaintiff in error, and Mr. R. V. Davidson, of counsel for the defendant in error.

The United States,
152 vs. Appellant,
Cerecedo Hermanos
y Compania.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Sanford, of counsel for the appellant. No counsel appeared for the appellee.

157. The United States Fidelity and Guaranty Co. (Plaintiff in Error) vs. The United States for use and benefit of Thatcher Wells & Co.

This cause was argued by Mr. Leonidas Dunlap, of counsel for the plaintiff in error, and Mr. Herbert A. Heyn, of counsel for the defendant in error.

158. McCabe & Steen Construction Co. (Plaintiff in Error) vs. William N. Wilson.

The argument of this cause was commenced by Mr. Arthur G. Moseley, of counsel for the plaintiff in error.

(Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry M. Goldfogle, it is ordered that John A. Rothermel, Esquire, of Reading, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Holt Gaines, it is ordered, that Arthur Sherman Phillips, Esquire, of Fall River, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

166 B. F. Isbell, Plaintiff in Error, vs. The State of Kansas. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Nelson Cases, of counsel for the plaintiff in error, and Mr. E. L. Burton, of counsel for the defendant in error.

167 In re James B. Wood et al Petitioners. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. Scott Bicksler and Mr. E. G. Bennett, of counsel for the petitioners, and Mr. Harvey Riddell, of counsel for the respondents.

168 McCabe & Stees Construction Co., Plaintiff in Error, vs. William N. Wilson. The argument of this cause was continued by Mr. Arthur G. Moseley, of counsel for the plaintiff in error, and Mr. James R. Kealon, of counsel for the defendant in error, and concluded by Mr. Arthur G. Moseley, of counsel for the plaintiff in error.

169 J. G. Bogard et al, Appellants, vs. S. A. Sweet et al. This cause was submitted to the consideration of the Court on the record and printed arguments.

Mr. Frank Wells, of counsel for the appellants, and Mr. Charles M. Thacker, of counsel for the appellees, and leave was granted counsel for the appellants to file a reply brief on or before the 21st inst.

157 Wolfe Londoner et al., Plaintiffs in Error, vs. The City and County of Denver et al.

The argument of this cause was commenced by Mr. Joshua S. Grozier, of counsel for the plaintiffs in error, and continued by Mr. F. W. Dunborn and Mr. N. L. Keller, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned

Monday, March 9th, 1903.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James K. Jones, it is ordered that William J. Stone, Esquire, of Jefferson City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward A. Moseley, it is ordered that John A. Marble, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. W. Benyaga, it is ordered that George Bendix, Esquire, of New Brunswick, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward M. Doe, it is ordered that Henry F. Ashurst, Esquire, of Flagstaff, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

340 The Wabash Railroad Co., (Plaintiff in Error) vs. The Adelbert College of the Western Reserve University et al. On consideration of the petition for rehearing and motion to modify the judgment of this Court in this cause, and the argument of counsel thereupon had, It is now further ordered by the Court that said petition and motion be, and the same are hereby denied. Per Mr. Justice [illegible].

340 The United States, (Plaintiff in Error) vs. Edward D. Thayer. In Error to the District Court of the United States for the Northern District of [illegible].

This cause came on to be heard on the transcript of the record from the District Court of the

Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to overrule the demurrers and proceed in conformity with law.

per Mr. Justice Holmes.

Gustave A. Jahn et al.,
vs.
Steamship "Solmina,"
William Van Eyken, claimant.

On consideration of the petition for a writ of certiorari herein to bring up the entire record and cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Railroad Commission of Louisiana,
vs. Appellant,
Cumberland Telephone and Telegraph Company.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the

October 13th next; after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Rickey Land & Cattle Co. Petitioner, vs. Miller & Lux. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

652.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Rickey Land & Cattle Co, Petitioner vs. Henry Wood et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

653.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

519. Harper M. Crabood, Petitioner vs. Arthur M. Epstein, Trustee in bankruptcy of the State of the Colorado Carlsbad Water Co, bankrupt. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

The Central Coal & Coke Company, Petitioner vs. Doc M. Sullens. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

Henson Collier,
615 vs. Petitioner
Missouri, Kansas & Texas Railway Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Chicago & Alton Railway Co.,
557 vs. Petitioner
The United States.
John N. Faithorn,
558 vs. Petitioner
The United States.
Fred A. Wann,
559 vs. Petitioner
The United States.

On consideration of the motions to advance these causes, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument, as one case, on Thursday, October 25th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

625 The United States, Plaintiff in Error, vs. S. W. Kelly et al.
626 The United States, Plaintiff in Error, vs. Robert Forrester et al.
630 The United States, Plaintiff in Error, vs. Charles E. Hess et al.
631 The United States, Plaintiff in Error, vs. Charles E. Hess.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument as one case on Tuesday, October 13th next, with leave to counsel to apply for modification of this order when the cases are reached.

per Mr. Chief Justice Fuller.

627 The United States, Plaintiff in Error, vs. Charles N. Thieman et al.
628 The United States, Plaintiff in Error, vs. Edgar M. Bigg et al.
629 The United States, Plaintiff in Error, vs. Alexander S. Dullenberger et al.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument as one case on Tuesday, October 13th next, with leave to counsel to apply for modification of this order when the cases are reached.

per Mr. Chief Justice Fuller.

Marcellus Thomas,
183 vs. Plaintiff in Error,
The State of Texas.

It is ordered by the Court that this cause be restored to the call and assigned for argument on Monday, April 6th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

John Boyd,
151 vs. Plaintiff in Error,
The State of Texas.

In Error to the Court of Criminal Appeals of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Criminal Appeals of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

The Bowers Hydraulic
Dredging Company,
185 vs. Appellant,
The United States.

On motion of Mr. Solicitor General Hoyt, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of section 4 of Rule 24.

619. George L. Stearns, Appellant, vs. Leo V. Youngworth, United States Marshal for the Southern District of California. Appeal from the Circuit Court of the United States for the Southern District of California.

This cause having been called to the attention of the Court by Mr. Solicitor General Hoyt, of counsel for the appellee, and he having filed a confession of error herein, Therefore, in pursuance of said confession, It is now here ordered, adjudged and decreed by this Court that the order of the Circuit Court of the United States for the Southern District of California in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the petitioner, without prejudice to a renewal of the application to remove.

per Mr. Chief Justice Fuller.

619 George L. Stearns, Appellant, vs. Leo V. Youngworth, U. S. Marshal, &c. On motion of Mr. Solicitor General Hoyt, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

People of the State of New York, ex rel Abraham Kopel, Plaintiff in Error, vs. Theodore A Bingham, Police Commissioner &c. — No. 131.

Mr. Henry M. Hoyt, in behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause, and a suggestion as to the time of hearing was submitted by Mr. A. K. Page, of counsel for the plaintiff in error.

The Disconto Gesellschaft, Plaintiff in Error, vs. Augustus C. Umbreit — No. 63.

On motion of Mr. A. B. Browne, in behalf of counsel, &c.

is hereby granted the Clerk to issue the mandate in this cause.

Joseph J. Slocum and Edwards C. Osborne, as Trustees of the Hastings and Dakota Railway Co., Appellants, vs. The United States. — No. 145.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit

This cause having been called to the attention of the Court by Mr. A. B. Browne, of counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in

ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller

111 Miguel Lupiano et al., vs. Plaintiffs in Error, La Compania General Tabacos de Filipinas

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. B. Browne and Mr. Alexander Britton in support of the same, and Mr. John C. Gittings and Mr. William Dale Grey in opposition thereto.

237 Arsene L. Arpin, vs. Appellant; Porto Rico Power & Light Co.

On motion of Mr. John C. Carlisle, on behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby continued until the next term.

186 Adolfo Rivas, vs. Plaintiff in Error, Lauriano Sarria

On motion of Mr. Frederic D. McKenney, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Ex parte: In the matter of Michael Cranchila, Petitioner

The motion for leave to file a petition for a writ of

mandamus herein was submitted to the consideration of the Court by Mr. James M. Jones and Mr. William J. Stone in support of the same.

Ex parte: In the matter of Michael Cranchila, Petitioner,

The motion for leave to file a petition for a writ of prohibition herein was submitted to the consideration of the Court by Mr. James. M. Jones and Mr. William J. Stone in support of the same.

170 James Farrell, Plaintiff in Error, vs. James M. Lockhart, Administrator, &c.

This case was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles C. Dey, of counsel for the plaintiff in error, and Mr. Wilson S. Snyder, of counsel for the defendant in error.

The Savings Deposit & Trust Co. of Elyria, Ohio. Appellant, vs. Nathan Loeser, Trustee. — It is ordered by the Court that this cause be, and the same is hereby passed on account of sickness of counsel, subject to the provisions of section 9 of Rule 26

John C. Hands & American Steel Foundry Company vs. Wabash Railroad Company & Simplex Railway Appliance Co. — On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit

It appearing to the Court that there has been filed a request from the United States Circuit Court of Appeals for the Eighth Circuit for leave to withdraw the certificate filed herein, and it also appearing from said request that the American Steel Foundries, a corporation, has acquired all the interests of all the parties litigant in this suit, It is, therefore, now here ordered by the Court that leave be, and the same is hereby, granted to withdraw said certificate, and that this case be stricken from the docket.

Per Mr. Chief Justice Fuller.

The Roderick Lean Manufacturing Co., Plaintiffs in Error
vs.
Reinhart Keiting,

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Eugene Van Voorhis, in support of the same, and Mr. Sandies D. Butler in opposition thereto

Ex parte: In the matter of Albert N. Moore, an infant &c, Petitioner
1 Original.

This cause was argued by Mr. Harold R. Small, of counsel for the respondent, and was submitted on printed arguments by Mr. Shepard Barclay and Mr. Thomas F. Fauntleroy, of counsel for the petitioner

Wolfe Londoner et al.,
157. vs. Plaintiffs in Error
The City and County of Denver et al.

The argument of this cause was continued by Mr. N. L. Rice of counsel for the defendants in error, and concluded by Joshua St. Grozier, of counsel for the plaintiffs in error.

160. J. B. Thompson, Plaintiff in Error,
vs.
Commonwealth of Kentucky
by S. S. Albritton, Revenue Agent.

This cause was argued by Mr. J. B. Thompson in proper person and Mr. John W. Kay, of counsel for the defendant in error.

162. National Life Insurance Co. of the U. S. A.,
vs.
National Life Insurance Co, et al.

The argument of this cause was commenced by Mr. L. A. Dubois, of counsel for the appellant.

(Proclamation being made, the Court is adjourned

Tuesday, March 1st 1897.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer,
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William A. Moody
John M. Wright, Esquire, Marshal.
James H. McKenney Clerk.

Proclamation being made, the Court opened,

On motion first made to the Court in this behalf by Mr. William Dulzer, it is ordered that Benjamin Strauskin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Littlefield, it is ordered that James E. Rhodes, 2d, Esquire, of Hartford, State of Connecticut, and Harrison S. Lyman, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsel.

No. 15. J. B. Thompson, Plaintiff in Error, vs. Commonwealth of Kentucky by S. S. Albritton, Revenue Agent. This cause was argued by Mr. J. B. Thompson in proprio persona and Mr. John N. Ray, of counsel for the defendant in error.

No. 16. National Life Insurance Co. of the U. S. A., Appellant; vs. National Life Insurance Co. et al. The argument of this cause was commenced by Mr. L. A. Stubbins, of counsel for the appellant.

(Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer,
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody,
John M. Wright, Esquire, Marshal.
James H. McKenney, Colonel,

Proclamation being made, the Court opened,

On motion first made to the Court in this behalf by Mr. William Dulzer, it is ordered that Benjamin Strauslin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Littlefield, it is ordered that James E. Rhodes, 2d, Esquire, of Hartford, State of Connecticut, and Harrison S. Lyman, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsel-

On motion first made to the Court in this behalf by Mr. P. A. Piles, it is ordered that Reeves Aylmore, Junior, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Prowice M. Poque, it is ordered that Walter A. Delamp, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

No. The Bobbs-Merrill Co., Appellant,
vs.
Isidor Straus, &c., et al.

On motion of Mr. Stephen A. Olin leave is hereby granted him to file a brief herein as amicus curiae, and leave is hereby also granted counsel for the appellees to file a reply thereto within five days.

173 Ware & Leland et al., Plaintiffs in Error,
vs.
Mobile County

174 Ware & Leland et al., Plaintiffs in Error,
vs.
The State of Alabama.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. B. B. Boone of counsel for the plaintiffs in error. No counsel ap

162 National Life Insurance Company of the U. S. A. vs. National Life Insurance Company et al. Appellant.

The argument of this cause was continued by Mr. L. A. Stebbins, of counsel for the appellant, and Mr. Henry Russell Platt, of counsel for the appellees, and concluded by Mr. L. A. Stebbins, of counsel for the appellant.

163. Stilson & Hutchins et al., vs. Carrie L. Munn Appellants,

This cause was argued by Mr. E. C. Brandon of counsel for the appellants, and Mr. Samuel Maddox, of counsel for the appellee.

Proclamation being made, the Court is ad-

Wednesday, March 11th, 1908.

Pursuant to adjournment, the Court met today, at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes.
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

164 W. H. Gazlay et al., Appellants, vs. Fletcher R. Williams, Trustee, &c.

This cause was argued by Mr. Oscar W. Kuhn, of counsel for the appellants, and Mr. Province M. Pogue and Mr. Walter A. De Camp, of counsel for the appellee.

168 Richard A. Field, et al, Plaintiffs in Error, vs. The Barber Asphalt Paving Co, et al

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Richard

and Wm. H. C. Learitt, of counsel for the defendants in error.

Eva A. Ingersoll, Administratrix &c., vs. Petitioner
69. Joseph A. Coramutal.

The argument of this cause was commenced by Mr Harris Taylor of counsel for the petitioner, and continued by Mr Louis D. Brandeis, of counsel for the respondent.

Proclamation being made the Court is adjourned

Thursday, March 12th, 1908.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody
Associate Justices
John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. E. Hilton Jackson, it is ordered that E. Clinton James, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Dunlap, it is ordered that Eldon J. Cassoday, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward Cahill, it is ordered that Harris E. Thomas, Esquire, of Lansing, State of Michigan, be admitted to practice as an attorney and counsellor of this Court. and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Kittredge Haskins, it is ordered that Herbert C. Barber, Esquire, of Brattleboro, State of Vermont be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

167. Eva A. Ingersoll, Administratrix &c., vs. Petitioner, Joseph A. Coram et al. The argument of this cause was continued by Mr. Louis D. Brandeis, of counsel for the respondents, and concluded by Mr. E. N. Harwood, of counsel for the petitioner, and leave was granted counsel for the petitioner to file an additional brief herein within five days.

165 Simeon Halloxell, vs. The United States. This cause was argued by Mr. Thomas L. Sloan, of counsel for Halloxell, and Mr. Solicitor General Hoyt, of counsel for the United States.

Thursday, March 12th, 1908, continued.

176. The Bobbs-Merrill Co, Appellant, vs. Isidor Straus et al; &c. Appellees.

The argument of this cause was commenced by Mr. W. A. L. Miller, of counsel for the appellant.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham } Associate
Joseph McKenna } Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened,

On motion first made to the Court in this behalf by Mr. P. C. Knox, it is ordered that William J. Brennan, Esquire, of New London, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Dulzer, it is ordered that William J. A. Caffrey and Isaac F. Cohen, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Wm. Jackson A. Ralston, it is ordered that Albert E. Dieterich, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Anderson Gray, Appellant,
vs. Appeal from the
The Equitable Mortgage Co., Circuit Court of
of Kansas City, Missouri, the United States
Equitable Securities Co., of for the District of
New York City et al. Kansas.

It appearing to the Court that a motion by counsel for appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

The Bobbs-Merrill Co., The argument of this
vs. Appellant, cause was continued
Isidor Straus et al., &c. by Mr. Edmond E. Wise and Mr. John G. Carlisle, of counsel for the appellee, and concluded by Mr. W. A. A. Miller, of counsel for the appellant, and leave was granted counsel for the appellee to file an additional brief herein within five

177. John M. Longyear, Plaintiff in Error, vs. William Scotland et al. This cause was argued by Mr. Edward Colton, of counsel for the plaintiff in error, and Mr. Harris & Thomas, of counsel for the defendants in error.

178. Empire State Gaslite Co. et al, Petitioners vs. The Atchison, Topeka & Santa Fe Railway Co.

179. Minnesota & Dakota Coal Co. Petitioners vs. The Atchison, Topeka & Santa Fe Railway Co.

The arguments of these cases was commenced by Mr. James A. Bedford, of counsel for the petitioners.

Proclamation being made, the Court is adjourned

Monday, March 16th, 1903.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John H. Marble, it is ordered that Frederick H. Whitfield, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Hamilton, it is ordered that Edward Engerud, Esquire, of Fargo, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

behalf by Mr. Norris Brown, it is ordered that William B. Rose, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William D. McHugh, it is ordered that Frank L. McCoy, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest Wilkinson, it is ordered that Alan M. Johnson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

467 Armour Packing Co., Petitioner vs. The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said

this cause, be, and the same is hereby, affirmed, and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri

per Mr. Justice Day.

Dissenting:
Mr. Justice Brewer
Mr Chief Justice Fuller and
Mr. Justice Peckham.
(Mr Justice Moody took no part in the disposition of this case.)

1168 Swift & Company, Petitioners vs. The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

per Mr. Justice Day.

Dissenting:
Mr. Justice Brewer
Mr Chief Justice Fuller and
Mr Justice Peckham

Morris & Company, Petitioners, vs. The United States — On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, affirmed; and that this cause be and the same is hereby remanded to the District Court of the United States for the Western District of Missouri

per Mr. Justice Day

Dissenting:
Mr. Justice Brewer
Mr. Chief Justice Fuller
Mr. Justice Peckham.
(Mr. Justice Moody took no part in the disposition of this case.)

Cudahy Packing Co., Petitioner vs. The United States. — On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States

Circuit and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

Per Mr. Justice Day.

Dissenting:
Mr Justice Brewer,
Mr. Chief Justice Fuller and
Mr. Justice Peckham.
(Mr. Justice Moody took no part in the disposition of this case.)

The Chicago, Burlington & Quincy Railway Company, Petitioner, vs. The United States

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

555

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and it appearing to the Court that a stipulation of counsel for the respective parties that the same judgment be entered in this cause as in cases Nos. 1167, 1168, 1169 and 1170 on the docket for the present term, has been filed,

It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause be, and the same is hereby affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri.

per Mr. Justice Day.

(Mr. Justice Moody took no part in the disposition of this case.)

Dona Maria Francisca O'Reilly de Camara, Countess of Buena Vista,

vs.

John R. Brooke, Major General U.S.A.,

104. Plaintiff in Error.

In Error to the District Court of the United States for the Southern Dist. of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said District Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

144. Jesse Hoyt Smith, Appellant. vs. William J. Rainey, Lillian Rainey his wife, Frank Luke Jr. & John Luke

Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Court with directions to reverse the decree of the District Court, and remand the cause to that Court with directions to overrule the demurrer.

Per Mr. Justice Holmes

The Chief Justice announced that the Court will take a recess from Monday, the 23d inst. to Monday, April 6th next.

4. Original. Commonwealth of Virginia, Complainant. vs. State of West Virginia

It is ordered by the Court that the pending applications for the

herein be, and the same is hereby set down for oral argument on Monday, April 6th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Miguel Tupis, et al.,
411. vs. Plaintiffs in Error,
La Compania General
Tabacos de Filipinas

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed, until the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

The People of the State of New York ex rel Abraham Kopel,
431. vs. Plaintiff in Error,
Theodore A. Bingham,
Police Commissioner, &c.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby, granted, and the cause assigned for argument on Thursday, October 15th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Scruggs, Vandervoort & Barney Dry Goods Co., (Petitioner
6.36. vs.
The United States

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Roderick Lean Manufacturing Co., (Plaintiffs in Error,
57.54. vs.
Reinhart Kuebler.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Richard H. Field &c.
Annie Camp Field,
165 vs. Plaintiffs in Error
The Barber Asphalt Paving Co.,
&c. Kansas City to the use of the
Barber Asphalt Paving Co.

In Error to the
Kansas City Court
of Appeals of the
State of Missouri.

This cause came on to be heard on the transcript of the record from the Kansas City Court of Appeals of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Order.

The Reporter having represented that owing to the number of decisions at the present term it would be impracticable to put the reports in one volume, It is, therefore, now here ordered that he publish an additional volume in this year, pursuant to section 681 of the Revised Statutes.

Per Mr. Chief Justice Fuller.

659 Edgar E. Heavenrich, Trustee &c., vs. Petitioner
Laura V. Haley,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Bernard B. Selling in support of the same, and Mr. Alexander J. Crossbie in opposition thereto.

665 Luther & Moore Lumber Co. et al., vs. Petitioners,
William A. Knight et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. A. P. Pujo in support of the same, and leave was granted him to file an additional brief herein within ten days.

374 The Western Union Telegraph Co., vs. Plaintiff in Error
The State of Kansas ex rel. C. C. Coleman, Attorney General.

381 The Pullman Company, vs. Plaintiff in Error.
The State of Kansas ex rel C. C. Coleman, Attorney General.

The motions to advance these cases, were submitted to the consideration of the Court by Mr. D. D. Ashbaugh in support of the same, and Mr. W. A. Rossington, Mr. John F. Dillon, Mr. Rush Taggart, Mr. George H. Fearons and Mr. A. D. Estabrook in oppo

Osborn A. Wilson,
317. vs. Plaintiff in Error,
Erie Railroad Co., et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. William E. Cushing in support of the same.

Frederick Lang,
619. vs. Plaintiff in Error,
The State of New Jersey,

Mr. George Bunting, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

Ex parte: In the matter of
The Perth Amboy Dry Dock Co.,
Petitioner.

Mr. James A. Dubell, Junior, of counsel for the petitioner submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition herein.

Empire State Cattle Co., et al.,
175. vs. Petitioners
Atchison, Topeka & Santa Fe Railway Co.

The Minnesota & Dakota Cattle Co.,
179. vs. Petitioner
Atchison, Topeka & Santa Fe Railway Co.

The argument of these cases was continued by Mr. James A. Botsford, of counsel for the petitioners, and Mr. Gardiner Lathrop & Mr. Robert Dunlap, of counsel

Tuesday, March 15th, 1898.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened,

On motion first made to the Court in this behalf by Wm. Charles Curtis, it is ordered that Frank D. Ryan, Esquire, of Hiawatha, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. Frank A. Bright it is ordered that John S. Murray, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gilbert Collins, it is ordered that Richard V. Lindabury, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert H. McCarter, it is ordered that Edward D. Savage, Esquire, of Rahway, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

178 Empire State Cattle Co. et al, vs. Atchison, Topeka & Santa Fe Railway Co. (Petitioners)

179 The Minnesota & Dakota Cattle Company, vs. Atchison, Topeka & Santa Fe Railway Co. (Petitioners)

The argument of these cases was continued by Mr. Robert Dunlap, of counsel for the respondent, and concluded by Mr. R. E. Ball, of counsel for the petitioners.

Ex parte: In the matter of
The State of Nebraska,
Petitioner

Original

The argument of this cause was commenced by Mr. W. S. Thompson, of counsel for the petitioner; continued by Mr. William D. McHugh and Mr. Maxwell Evarts, of counsel for the respondents, and concluded by Mr. William B. Rose, of counsel for the petitioner.

The Allemannia Fire Insurance Company of Pittsburg, Pennsylvania,
Plaintiff in Error,
vs.
The Firemen's Insurance Co., of Baltimore, to the use, &c.

180

The argument of this cause was commenced by Mr. A. Prescott Dailey, of counsel for the plaintiff in error, and continued by Mr. William F. Mattingly, of counsel for the defendant in error.

Proclamation being made, the Court is announced

Wednesday, March 6th, 1901

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R Day
William H Moody
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court opened.

On motion first made to the Court in this behalf by Mr. John D. Lindsay, it is ordered, that Marlin W. Littleton, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene A. Jones, it is ordered, that John J. Phelan, Esquire, of Bridgeport, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. N. B. Hays, it is ordered that James Breathitt, Esquire, of Frankfort, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. A. Prescott Gatley, it is ordered that Jerome D. Creed, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kittredge Haskins, it is ordered that Herbert W. Hovey, Esquire, of St. Johnsbury, State of Vermont, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

180 The Allemannia Fire Insurance Co., of Pittsburg, Pennsylvania, Plaintiff in Error, vs. The Firemen's Insurance Co., of Baltimore, to the use &c.

The argument of this cause was continued by Mr. William F. Mattingly and Mr. F. Wallis Blakistone, of counsel for the defendant in error, and concluded by Mr. Andrew Y. Bradley, of counsel for the plaintiff in error.

187 Lui Hop Tong, Plaintiff in Error, vs. The United States. This cause was argued by Mr. Frank L. McCoy, of counsel for the plaintiff in error, and Mr Assistant Attorney General Cooley, of counsel for the defendant in error.

184 The Hudson County Water Company, Plaintiff in Error, vs. Robert H. McCarter, Attorney-General etc. The argument of this cause was commenced by Mr. Gilbert Collins, of counsel for the plaintiff in error

Proclamation being made, the Court is adjourned.

Thursday, March 19th, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorables Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened,

On motion first made to the Court in this behalf by Mr. John G. Johnson, it is ordered that Henry Samuel Hirst, Esquire, of St. Louis, State of Missouri, and Guy W. Mallon, Esquire, of Cincinnati, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chapin Brown it is ordered that Charles H. Bauman, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and

On motion first made to the Court in this behalf by Mr. A. J. Hopkins it is ordered that Abram D. Cash, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chester D. Long, it is ordered that U. A. Spaulding, Esquire, of Garvin, State of Oklahoma, be admitted, to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

200 L. Lechenger and his sureties W. B. Chew, E. B. Parker, Edgar Watkins & Frank C. Jones vs. Merchants National Bank of Houston and Hugh Byrne

In Error to the Court of Civil Appeals for the 1st Supreme Judicial District of the State of Texas.

Plaintiffs in Error.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

184 The Hudson County Water Co., Plaintiff in Error; vs. Robert A. McCarter, Attorney General &c. The argument of this cause was continued by Mr. Gilbert Collins, of counsel for the plaintiff in error, and Mr. Robert A. McCarter, of counsel for the defendant in error, and concluded by Mr. Richard V. Lindabury, of counsel for the plaintiff in error.

187 Albert C. Twining et al., Plaintiffs in Error, vs. The State of New Jersey. The argument of this cause was commenced by Mr. John G. Johnes, of counsel for the plaintiffs in error and continued by Mr. Marshall Van Winkle, of counsel for the plaintiffs in error, and Mr. A. M. Mowrey and Mr. Robert A. McCarter, of counsel for the defendant in error.

Proclamation being made the Court is adjourned

Friday, March 20th, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Simon Lyon, it is ordered that Nathan Loeser and Amos Burt Thompson, Esquires, of Cleveland, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Johnson, it is ordered that W. W. Cook and Frederic C. Scofield, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this

Carolyn Foster Stickney,
Executrix, etc., et al.,
196. vs. Plaintiffs in Error,
Otis Kelsey, Comptroller &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward Mitchell, of counsel for the plaintiffs in error, and Mr. David B. Hill, of counsel for the defendant in error.

Albert C. Twining et al.,
197. vs. Plaintiffs in Error,
The State of New Jersey.

The argument of this cause was continued by Mr. Robert A. McCarter, of counsel for the defendant in error, and concluded by Mr. John G. Johnson, of counsel for the plaintiffs in error.

Adolph F. Lippard et al.,
188. vs. Plaintiffs in Error and Appellants
Ida P. Humphrey et al.

This cause was argued by Mr. Chapin Brown, of counsel for the plaintiffs in error and appellants, and Mr. C. Clinton James and Mr. B. F. Leighton, of counsel for defendants in error and appellees.

	The City of St. Louis,	The argument
193.	vs. Appellant,	of these cases
	The United Railways Co. et al.	was commenced
	The City of St. Louis,	by Mr. William
194	vs. Appellant,	H. Hoerner, of
	The St. Louis Suburban Railway Co.	counsel for
	The City of St. Louis,	the appellant.
195	vs. Appellant,	
	The St. Louis and Meramec	
	River Railroad Co.	

Proclamation being made, the Court is adjourned,

Monday, March 23d, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that Mason S. Prosser, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Strauss J. Hogan, it is ordered that Michael J. Moran, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Moon, it is ordered that E. Watkins and M. M. Allison, Esquires, of Chattanooga, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Carlisle, it is ordered that H. Snowden Marshall, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

163 Wilson Hutchins, William J. Daute and Ben B. Bradford, Appellants, vs. Carrie L. Munn. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Moody.

166 B. F. Hobbs, Plaintiff in Error, vs. The State of Kansas. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Moody.

533. Charles Thomas, Plaintiff in Error, vs. The State of Iowa. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Moody.

48. Napoleon B. Dobson, Plaintiff in Error, vs. William A. Milliken — In Error to the Court of Appeals of the District of Columbia

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

128 General Oil Company, Plaintiff in Error, vs. John A. Crain, Inspector of Coal Oil, Carbon Oil, Petroleum, Kerosene Oil, Gasoline, &c. for the County of Shelby & City of Memphis, Tennessee — In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes

Ex parte: In the matter of Edward F. Young, Petitioner. — On consideration of the petition for writs of habeas corpus and certiorari herein, of the return to the rule to show cause, and of the argument of counsel thereupon had. It is now here ordered by the Court that the rule to show cause be discharged and that said petition be, and the same is hereby, dismissed.

10 Original.

per Mr. Justice Peckham.

Dissenting:
Mr. Justice Harlan.

Thomas F. Hunter, Sheriff of Buncombe County, State of North Carolina, Appellant, vs. James H. Wood. — Appeal from the Circuit Court of the United States for the Western District of North Carolina.

11 & 11.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Peckham

Dissenting:

173. The Interstate Commerce Commission, vs. The Chicago Great Western Railway Co. et al. Appellant, Appeal from the Circuit Court of the United States for the Northern District of Ill—

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

(Mr. Justice Moody did not hear the argument, nor take part in the decision of this case.)

175. Simeon B. Calloway, vs. The United States. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered by this

same is hereby, dismissed.

Per Mr. Justice Harlan.

Juan Garcia Borgne, Plaintiff in Error, vs. The United States. In Error to the Supreme Court of the Philippine Islands.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Philippine Islands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Perth Amboy Dry Dock Co., Petitioner. On consideration of the motion for leave to file a petition for a

18 Original.

writ of prohibition herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Perth Amboy Dry Dock Co., Petitioner. On considera-

18 Original.

tion of the petition of the Perth Amboy Dry

this Court that cause be shown by Honorable William M. Lanning and Honorable Joseph Cross, the Judges of the District Court of the United States for the District of New Jersey, before this Court at the City of Washington on Monday, April 6th, 1908, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice Fuller

Osborn A. Wilson, Plaintiff in Error, vs. Erie Railroad Company and Patrick Monahan

In Error to the Circuit Court of the United States for the Northern District of

247. Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel on a motion to dismiss or affirm. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr Chief Justice Fuller

374. The Western Union Telegraph Co., Plaintiff in Error, vs. The State of Kansas ex rel. C. C. Coleman, Attorney General.

387. The Pullman Company, Plaintiff in Error, vs. The State of Kansas ex rel. C. C. Coleman, Attorney General.

On consideration of the motions to advance these causes, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

Per Mr. Chief Justice Fuller.

Emilie Darlehner, Petitioner, vs. Edward Wagner et al.

It is ordered by the Court that the order entered herein on the 2d instant, denying the petition for a writ of certiorari be, and the same is hereby, vacated and set aside.

Per Mr. Chief Justice Fuller.

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632. Emilie Darlehner, Petitioner, vs. Edward Wagner et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

619 Frederick Luny, Plaintiff in Error, vs. The State of New Jersey. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 6th, 1908, at the head of the call for that day.

Per Mr. Chief Justice Fuller.

654 Edgar E. Heavenrich, Trustee of Hutchinson & Wilmoth, bankrupt, Petitioners, vs. Carrie W. Haley. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

656 J. Wilcox Brown et al., Petitioners, vs. Willmore Coal Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Edwin L. Carlisle and Mr. A. Crawford Mercer for the petitioners, and by Mr. Charles Heydel for the respondent.

in support of the same, and Mr John G. Johnson and Mr. W. A. Ruppell in opposition thereto.

667 Eva S. Brought et al., Petitioners, vs. Charles K. Seymour. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Presley K. Ewing in support of the same, and Mr. Roger W. Butterfield and Mr. Willard S. Kenney in opposition thereto.

668 Robert A. Kobusch, Petitioner, vs. William A. Hand, Trustee, &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James L. Hopkins in support of the same, and Mr. E. G. Brandenburg in opposition thereto.

668. Mason Williams, Trustee, &c., Petitioner vs. The National Bank of Commerce of St Louis, Missouri. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. E. G. Brandenburg in support thereof, and Mr Charles W. Ogden in opposition thereto.

669. J. F. Wagdward, Petitioner, vs. James D. Davidson et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George R. Peck, Mr. A. A. Field and Mr. E. C. Hughes in support of the same, and Mr. Edward Brady in opposition thereto.

563. Thomas M. Fields, Appellant, vs. Charles E. Haddox, Warden, &c. Mr. Frank J. Hogan, of counsel for the appellant, submitted to the consideration of the Court motions to advance this cause, to enlarge the appellant on bail and to substitute the West Virginia Penitentiary as the party appellee herein in the place of Charles E. Haddox, Warden, &c., deceased.

563. Thomas M. Fields, Appellant, vs. Charles E. Haddox, Warden, &c. The motion to dismiss or affirm herein was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Hoyt in support of the same, and Mr. Frank J. Hogan, Mr. Henry E. Davis and Mr. John C. Gillingo in opposition thereto.

193. The City of St. Louis, Appellant, vs. The United Railways Co. et al.

194. The City of St. Louis, Appellant, vs. The St. Louis Suburban Railway Co. et al.

195. The City of St. Louis, Appellant, vs. The St. Louis & Meramec River Railroad Co.

The argument of these cases was concluded by Mr. Henry S. Priest of counsel for the appellees.

(Proclamation being made the Court is adjourned

Monday, April 6th, 1903

Pursuant to adjournment the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Bonaparte, it is ordered that Madison Marine, Esquire of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. Solicitor General Hoyt, it is ordered that James F. Calbreath, Junior, and Edward P. Costigan, Esquires, of Denver, State of Colorado, be admitted to

this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Millox D. Purdy, it is ordered that William A. Lancaster, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert J. Beveridge, it is ordered James Bingham, Esquire, of Indianapolis, State of Indiana, and Harry R. Boyd, Esquire, of Memphis, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Vance Davidson, it is ordered that Marsene Johnson and George G. Clough, Esquires, of Galveston, State of Texas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William S. Bennett, it is ordered that Harry F. O'Neil, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Wm. Rufus A. Shayer, it is ordered that Hanson C. Gibson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Wm. Moorfield Storey, it is ordered that E. B. Perkins, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. James K. Jones, it is ordered that George H. Ward, Esquire, of Atchison, and John Francis, Junior, Esquire, of Colony, State of Kansas; J. Blair Shoenfelt, Esquire, of Muskogee, State of Oklahoma, and Evan W. Estep, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. William A. Anderson, it is ordered that John B. Moon, Esquire, of Charlottesville, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Alan A. Strong, it is ordered that A. V. Dawes, Esquire, of New Brunswick, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus O. Bacon, it is ordered that J. Gordon Jones, Esquire, of Cordele, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

177 John M. Longyear, Plaintiff in Error, vs. William Sooland and Alexander McMillan. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Moody.

Carolyn Foster Stickney as Executrix &c. of Robert S. Jenks &c. of John C. Jenks &c. vs. Executors of the last will and testament of Joseph Stickney, deceased, etal. Plaintiffs in Error

vs.

Otto Kelsey, Comptroller of the State of New York.

In Error to the Surrogates Court in and for the County of New York, State of New York.

No. 46.

This cause came on to be heard on the transcript of the record from the Surrogates Court in and for the County of New York, State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Moody.

Alfred W. Putnam, as Trustee in bankruptcy of J. Francis Brown,

vs.

John M. Shaw &c. Alexander Davidson.

Petitioner,

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

No. 122

This cause came on to be heard on the transcript of the record from the United

Second Circuit, and was argued by coun
sel. On consideration whereof, It is now
here ordered and adjudged by this Court
that the judgment of the said United
States Circuit Court of Appeals in this
cause be, and the same is hereby, affirmed
with costs; and that this cause be, and
the same is hereby, remanded to the District
Court of the United States for the Southern
District of New York.

per Mr. Justice Day.

Edward S. Thomas, Lloyd M. Howell, and Hobbel P. Fitch, Trustees in bankruptcy of Jacob Berry, and Harold L. Bennett, individually and as Jacob Berry & Company, Petitioners, vs. Anna D. Taggart et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the tran
script of the record from the United States
Circuit Court of Appeals for the Second Cir
cuit, and was argued by counsel. On con
sideration whereof, It is now here ordered,
adjudged and decreed by this Court that
the decree of the said United States Circuit
Court of Appeals in this cause be, and the
same is hereby, affirmed with costs; and

remanded to the District Court of the United States for the Southern District of New York.

per Mr. Justice Day.

The Yazoo & Mississippi Valley Railroad Company, Appellant, vs. The Mayor and Aldermen of the City of Vicksburg. Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Mississippi.

per Mr. Justice Day.

A. B. Beadles, (Plaintiff in Error & Appellant) vs. E. Smyser, Mayor, G. R. Byers et al., City Councilmen, & W. R. Fry, City Treasurer, of the City of Perry, Noble County, Oklahoma. In Error to & Appeal from the Supreme Court of the Territory of Oklahoma.

transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Oklahoma for further proceedings in accordance with the opinion of this Court.

Per Mr. Justice Day.

Ware & Leland, a copartnership and J. A. Ware et al., Plaintiffs in Error, vs. Mobile County. In Error to the Supreme Court of the State of Alabama

No. 163.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

74 Ware & Leland, a co-partnership, and J. H. Ware et al., vs. The State of Alabama. Plaintiffs in Error, In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Day.

184 The Hudson County Water Co., vs. Robert H. McCarter, Attorney General of the State of New Jersey. Plaintiff in Error, In Error to the Court of Errors & Appeals of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Errors and Appeals in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Holmes.

Dissenting:

The United States,
655 vs. Appellant,
Cervecda Hermanos y
Compania

Appeal from the
District Court of the
United States for
Porto Rico

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to reverse the action of the Board of General Appraisers and affirm the action of the Collector.

Per Mr. Justice McKenna.

J. B. Thompson,
160 vs. Plaintiff in Error,
Commonwealth of Kentucky
by S. G. Albritton, Revenue Agent

In Error to the
Court of Appeals
of the State of
Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court

Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna

The United States Fidelity & Guaranty Company, Plaintiff in Error, vs. The United States for the use & benefit of Gardner Heard Co. } In Error to the United States Circuit Court of Appeals for the Second Circuit.

154.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of New York.

Per Mr. Justice Peckham

National Life Insurance Co. of the United States of America, Appellant, vs. National Life Insurance Co. D.G. Drake et al. } Appeal from the United States Circuit Court of Appeals for the Second Circuit.

162

transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Illinois.

per Mr. Justice Peckham.

The Allemannia Fire Insurance Co., of Pittsburg, Pennsylvania, Plaintiff in Error, vs. The Firemen's Insurance Co., of Baltimore, to the use of Francis E. S. Wolfe, Receiver.

In Error to the Court of Appeals of the District of Columbia.

150.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause, be, and the same is hereby, affirmed with costs.

per Mr. [illegible]

141. Juan R. Ganzot and Faustino R. Fuentes, copartners under the firm name of Ganzot y Fuentes, Appellants, vs. Maria Rios de Rubio, Victor Buruet, Petronila Rios de Noya and her husband, Francisco Noya,

142 Appellants, vs. Maria Rios de Rubio, Victor Buruet et al.,

604. Appellants, vs. Maria Rios de Rubio.

Appeals from the District Court of the United States for Porto Rico.

This cause came on to be heard on the transcript of the record from the District Court of the United States for Porto Rico on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court with directions to dismiss the bill for want of jurisdiction over the subject matter.

Per Mr. Justice White.

155 McCabe Gray Stone Construction Co., In Error to the
vs. Plaintiff in Error, Supreme Court
William M. Wilson of the Territory of Okla.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Oklahoma.

Per Mr. Justice Brewer.

188 Adolph F. Lipphard, In Error to and
William A. Lipphard, Appeal from the
Adolph F. Lipphard Jr., et al., Court of Appeals
vs. Plaintiffs in Error & Appellants, of the District
Isaac P. Humphrey, John F. Pyles, of Columbia
George B. Anderson et al.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

Ex-parte: In the matter of Michael Conarchild, Petitioner. On consideration of the motion for leave to file a petition for a writ of prohibition herein. It is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

Ex-parte: In the matter of Michael Conarchild, Petitioner. On consideration of the motion for leave to file petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

656 J. Miller of Brown et al., Petitioners, vs. Millmore Coal Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

668 Mason Williams, Trustee in bankruptcy of The Brady-Stein Lumber Co., bankrupt, Petitioner vs. The National Bank of Commerce of St. Louis, Missouri. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

669 J. S. Woodward, Petitioner, vs. James D. Davidson et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

677. Wm. S. Broughton et al., Petitioners vs. Charles A. Seymour. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Taft.

678. Robert H. Dobusch, Petitioner vs. William H. Hand, Trustee in bankruptcy of Heller & Hoffman Chair Manufacturing Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Taft.

Lilcher & Moore Lumber Company et al. vs. William A. Knight et al. (U.S.)

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

State of Louisiana, Complainant, vs. James R. Garfield, Secretary of the Interior et al. (Original)

On motion of Mr Solicitor General Hoyt, of counsel for the defendants, leave is hereby granted to file a demurrer herein.

State of Louisiana, Complainant, vs. James R. Garfield, Secretary of the Interior et al. (Original)

Mr. George A. Lamar, of counsel for the complainant, suggested the retirement of Richard A. Ballinger and the appointment of Fred Dennet as his successor as Commissioner of the General Land Office, and moved the Court to make the said Fred Dennet, as such Commissioner,

here ordered by the Court that the said Fred. Dennet, as Commissioner of the General Land Office, be, and he is hereby, made a party defendant herein.

680. James D. Yeales, vs. George B. Roberson, Sheriff, &c. Appellant.

Mr. Augustus C. Bacon, on behalf of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

680 James D. Yeales, vs. George B. Roberson, Sheriff, &c. Appellant.

Mr. W. B. Mathews on behalf of counsel for the appellant submitted to the consideration of the Court a motion for leave to proceed in forma pauperis.

Ex parte: In the matter of Smokeless Fuel Company. Petitioner

Mr. Alexander A. Sands, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

608 Robert R. Preuit et al., Appellants, vs. Chesapeake & Western Railway. On motion of Mr. William A. Anderson, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Tuesday, October 13th next, with cases Nos. 606, 607, 610 and 611, as one cause.

337 Henry Clay Pierce, Appellant, vs. Edmund P. Carey, Chief of Police, &c. Mr. Frederic D. McKenney, on behalf of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

653 Robert Dollar et al., Petitioners vs. St. Paul Fire and Marine Insurance Co., et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles Page, Mr. Edward J. McCutchen, and Mr. Samuel Knight in support of the same, and Mr. Walter H. Robinson in opposition thereto.

681. E. A. McCutchen & Co., et al., Petitioners vs. A. N. Bart. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Edwin A. Hubbard in support of the same.

684. Armand Schmoll, Petitioner vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. W. Wickham Smith and Mr. John K. Maxwell in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto on or before Friday next.

625 The United States, Plaintiff in Error, vs. F. W. Reilly et al. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edwin A. Ward in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

Marcellus Thomas,
105 vs. Plaintiff in Error,
The State of Texas.

On motion of Mr. W. E. Hawkins, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Commonwealth of Virginia,
4 Original vs. Complainant,
State of West Virginia

On motion of Mr. Holmes Conrad, leave is hereby granted him to be heard orally in this cause as amicus curiae, and on motion of Mr. William A. Anderson leave is hereby granted to Mr. Randolph Harrison to be heard orally on behalf of the complainant.

Frederick Lang,
64 vs. Plaintiff in Error,
The State of New Jersey,

This cause was argued by Mr. Alan H. Strong, of counsel for the plaintiff in error, and Mr. George Bordine, of counsel for the defendant in error.

The United States,
99 vs. Appellant,
The Chandler-Dunbar Water Power Company.

On motion of Mr. Attorney General Bonaparte, of counsel for the appellant, three

of this cause, and three counsel are allowed to argue the cause on each side.

599 The United States, Appellant, vs. The Chandler-Dunbar Water Power Company.

The argument of this cause was commenced by Mr. Duane & Fox, of counsel for the appellant.

Proclamation being made the Court is adjourned

Tuesday, April 7th, 1908.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. Kittredge Haskins, it is ordered, William B. C. Dickey, Esquire, of Burke, State of Vermont, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

No. 440 The United States, Appellant.
vs.
The Chandler Dunbar Water Power Company.

The argument of this cause was entered by Mr. Duane E. Fox, of counsel for the appellant; Mr. A. D. Eldridge and Mr. J. A. Goff, of counsel for the appellee; Mr. Solicitor General Hoyt, of counsel for the appellant; Mr. Moses Hooper, of counsel for the appellee and Mr. Attorney [illegible]

Proclamation being made, the Court adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment, the Court met today, at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court opened.

On motion first made to the Court in this behalf by Mr. James K. Jones, it is ordered that A. B. Hafer, Esquire, of Marion, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. J. Bowers, it is ordered that Robert Carey and Eugene W. Leake, Esquires, of Jersey City, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

599. The United States, Appellant,
vs.
The Chandler Dunbar Water Power Company.

The argument of this cause was concluded by Mr. Attorney General Bonaparte, of counsel for the appellant.

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215. Bradley W. Palmer et al., Petitioners,
vs.
The State of Texas et al.

On motion of Mr. R. V. Davidson, of counsel for the respondents, leave is hereby granted three counsel to make oral argument herein on behalf of the respondents.

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215. Bradley W. Palmer et al., Petitioners
vs.
The State of Texas et al.

The argument of this cause was commenced by Mr. Moorfield Storey of counsel for the petitioners, and continued by Mr. E. W. Gregory, Mr. Robert V. Davidson and Mr. C. N. Allen, of counsel for the respondents, and Mr. E. B. Perkins, of counsel for the petitioners

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Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Moody.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John C. Gittings, it is ordered that John J. Lordan, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Bradley W. Palmer et al, Petitioners
vs.
The State of Texas et al.

The argument of this cause was concluded by Mr. E. B. Perkins, of counsel for the petitioners.

Commonwealth of Virginia, Complainant.
vs.
State of West Virginia

The argument on the motion for the appointment of a master herein was commenced by Mr. Holmes Conrad, as amicus curiae, and continued by Mr. Randolph Harrison, of counsel for the complainant, and Mr. John G. Spooner, of counsel for the defendant.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John G. Carlisle, it is ordered that Henry H. Dietzney, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marlin E. Olmsted, it is ordered that J. Davis Brobhead, Esquire, of South Bethlehem, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in
behalf, by Mr. Francis Burton Harriso
ordered that Andrew J. Peters, and J
M. Sears, Esquires, of Boston, State o
achusetts, be admitted to practice as at
and counsellors of this Court, and they
sworn accordingly.

On motion first made to the Court in th
by Mr. A. B. Browne, it is ordered that
J. McCulloch, Esquire, of Washburn, Sta
North Dakota, be admitted to practice a
attorney and counsellor of this Court, and
was sworn accordingly.

Commonwealth of Virginia, Complainant,
11 Original vs.
State of West Virginia

The argum
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was continued by Mr. John C. Spooner and
John G. Carlisle, of Counsel for the defendan
concluded by Mr. William A. Anderson, o
sel for the complainant.

Berea College, Plaintiff in Error,
164 vs.
The Commonwealth of Kentucky.

The argum
this cause
commenced
Mr. Guy Wo

Mallon, of counsel for the plaintiff in erro

Proclamation being made the Court is adjourned u
Monday next, at twelve o'clock.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel W. Cooper, it is ordered that William A. Carr, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that M. L. Blake, Esquire, of Sheridan, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene Mackey, it is ordered that John J. Jones, Esquire, of Chanute, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elbert H. Hubbard, it is ordered that Eric A Burgess, Esquire, of Sioux City, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Shawnee Compress Co., The Gulf Compress Co., & J. Stubbs et al., vs. Neil P. Anderson, B. L. Anderson, and Morris E. Bunney, copartners as Neil P. Anderson & Company et al. — Appellants, — Appeal from the Supreme Court of the Territory of Oklahoma.

1110

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be

hereby, affirmed with costs; and that this cause be and the same is hereby, remanded to the Supreme Court of the State of Oklahoma.

Per Mr. Justice McKenna

Ex parte: In the matter of The Smokeless Fuel Co., Petitioner. On consideration of the motion for leave to file a petition for writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

Henry Clay Pierce, Appellant, vs. Edmund P. Conery, Chief of Police, &c. 35 ✓ On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, the 20th instant.

Per Mr. Chief Justice Fuller

The United States, Plaintiff in Error, vs. S. W. Heitle et al. 6 ✓ It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the

of the cause on the merits.

per Mr. Chief Justice Fuller.

James A. Yeates,
680 vs. Appellant,
George B. Robertson,
Sheriff, &c.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on Monday, the 27th instant.

per Mr. Chief Justice Fuller.

James A. Yeates,
680 vs. Appellant,
George B. Robertson,
Sheriff, &c.

On consideration of the motion for leave to proceed herein in forma pauperis, It is is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

E. A. McCulchen & Co. et al.,
681 vs. Petitioners
A. N. Bart.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court

dition be, and the same is hereby, denied.
per Mr. Chief Justice Fuller.

Armand Schmoll, Petitioners
vs.
The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

Upon consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same,
It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Robert Dollar et al., Claimants of the Steamer "Robert Dollar" &c., Petitioners
vs.
St. Paul Fire & Marine Insurance Company and California Rock Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

Upon consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same,

said petition be, and the same is hereby, denied.
per Mr Chief Justice Fuller.

No 3. Thomas M. Fields, Appellant, vs. Charles E. Haddox, Warden of the West Virginia Penitentiary — Appeal from the District Court of the United States for the Northern District of West Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of West Virginia, on motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the finial order of the said District Court, in this cause, be, and the same is hereby, affirmed with costs.
per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court will not sit on Friday, the 17th instant.

17 Edgar Jadwin, W. A. Hinsle and E. M. Hartwick, Plaintiffs in Error, vs. The State of Texas. — In Error to the Court of Civil Appeals of the First Supreme Judicial District of the State of Texas.

This cause having been called to the attention of

counsel for the plaintiffs in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

315 Goon Shung alias Ng Shung, Plaintiff in Error, vs. The United States. The motion to dismiss, or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Hoyt in support of the same and Mr. Thomas J. Barvey and Mr. Harry J. Jagmith in opposition thereto.

693. New York, New Haven and Hartford Railroad Co., Petitioner, vs. The Steamship "Verdenfels," &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. La Roy, S. Cove and Mr. James J. Macklen in support of the same, and Mr. Charles C. Burlingham in opposition thereto.

William Porter Davis, Junior, Trustee, &c.,
587 vs. (Petitioners.
B. Crompton et al., &c.

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tion of the Court on printed argumen
Mr. Samuel W. Cooper in support of th
and Mr. William A. Carr in opposition

George B. Christie, et al.,
701 vs. (Petitioners
The Iowa Steamship Co.

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ation of the Court on printed arguments
Duane E. Fox in support of the same, an
J. D. Rouse, Mr. William Grant and M
William B. Grant in opposition thereto

The Village of Saratoga Springs
et al., (Petitioners
618 vs.
The Cameron Septic Tank Co.

The petit
a writ o
tiorari
was subm
to the co

ation of the Court on printed argumen
Mr. Melville Church and Mr. Charles
Sturtevant in support of the same, and
Livingston Gifford in opposition there

Berea College,
40. vs. Plaintiff in Error,
The Commonwealth of Kentucky. The argument of this cause was continued by Mr. Guy Ward Mallon, of counsel for the plaintiff in error, and by Mr. N. B. Hays, of counsel for the defendant in error, and concluded by Mr. John G. Carlisle, of counsel for the plaintiff in error.

The Savings Deposit Bank & Trust Co., of Elyria, Ohio,
171. vs. Appellant,
Nathan Loeser, Trustee, &c. The argument of this cause was commenced by Mr. John C. Hale, of counsel for the appellant, and continued by Mr. A. B. Thompson, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Tuesday, April 4th, 1905

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Wm. Rush Taggart, it is ordered that Carlton Prouty, Esquire, of Winnetka, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. A. A. Goodrich, it is ordered that Ralph R. Bradley, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. Joseph V. Graff, it is ordered that William E. Traudmann and John L. Flannegen, Esquires, of East St. Louis, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

191 Frank T. W. Palmer, Petitioner, vs. Fordyce G. Bradley et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John J. Jordan and Mr. John Barton Payne in support of the same, and Mr. John J. Herrick in opposition thereto.

171 The Savings Deposit Bank and Trust Co., of Elyria, Ohio, Appellant, vs. Nathan Loeser, Trustee &c.

The argument of this cause was concluded by Mr. A. D. Thompson, of counsel for the appellee. Leave was granted to counsel for the appellant to file an additional brief herein within one week, and to counsel for the appellee to file a reply thereto, if so advised.

Boston & Maine Railroad
vs. (Petitioners,
194 John N. Corey)

This cause was argued by Mr. George B. Young, of counsel for the petitioners and Mr. H. H. Hovey, of counsel for the respondent.

Charles W. Hunter et al.,
vs. (Petitioners,
197 Rebecca A. Johnson et al.

This cause was argued by Mr. A. B. Shafer, of counsel for the petitioners. No counsel appeared for the respondents.

St. Louis, Iron Mountain & Southern Railway Co.,
vs. (Plaintiff in Error,
201 Mary Taylor, Administratrix &c.

This cause was argued by Mr. Rush Taggart, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Sam R. Cheney, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Wednesday, April 9th, 1902

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Wm. Hannis Taylor, it is ordered that Joseph C. Rich, Esquire, of Mobile, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. B. P. Waggener, it is ordered that Joseph G. Waters, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. Francis T. Chambers, it is ordered that James Boyd Potter, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. John A. Moon, it is ordered that M. C. McCanless, Esquire, of Morristown, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. Frank Bergen it is ordered that Warren Dickson and James J. Murphy, Esquires, of Jersey City, State of New Jersey, be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

339. The Pacific Express Company and Edward O. Tennison and Charles R. Buddy, sureties, Plaintiffs in Error, vs. W. H. Needham

In Error to the Court of Civil Appeals for the 3d Supreme Judicial District of the State of Texas.

It appearing to the Court that a motion of counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed,

is now here ordered and adjudged by this Court that the writ of error in this cause, &c., and the same is hereby, dismissed with costs.

Per Mr. Chief Justice [illegible]

202 Continental Paper Bag Co., Petitioner. vs. Eastern Paper Bag Co. This cause was argued by Mr. Albert H. Hall of counsel for the petitioner, and Mr. Samuel R. Betts and Mr. Francis T. Chambers, of counsel for the respondent.

203 The Central Railroad Co., of New Jersey, Plaintiff in Error. vs. The Mayor &c., of Jersey City, et al. The argument of this cause was commenced by Mr. Frank Bergen, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

Thursday, April 6th, 1905.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham — Associate
Joseph McKenna — Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Neal Brown, it is ordered that James T. Drought, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Louis D. Brandeis, it is ordered that Edward F. McClennen, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Bergen, it is ordered that Frederick A. Taggart, Esquire, of Westfield, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Wilson, it is ordered that George B. Johnson, Esquire, of West Chester State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. A. J. Newcomb, it is ordered that Arthur M. Churchill, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. E. L. Ellis, it is ordered that Wash. Adams, Esquire, of Kansas City, State of Missouri, and J. M. Schoenheit, Esquire, of Kansas City, State of Kansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Alden Smith, it is ordered that George P. Codd, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Gilfry, it is ordered that John F. O'Kefe, Esquire, of Saginaw, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

No. 3 & 4

The Central Railroad Co., of New Jersey, (Plaintiff in Error)
vs.
The Mayor, &c., of Jersey City et al.

The argument of this cause was continued by Mr. Franz Bergen, of counsel for the plaintiff in error, and Mr. Warren Dixon, of counsel for the defendants in error, and concluded by Mr. William D. Edwards, of counsel for the plaintiff in error.

204	Charles Scribner et al., Appellants, vs. Isidor Straus et al., and Charles Scribner's Sons, Appellant, vs. Isidor Straus et al.	These cases were argued by Mr. John G. Carlisle, of counsel for the appellees, and submitted on a printed argument by Mr. Stephen H. Olin, of counsel for the appellants.
206.	The Old Dominion Copper Mining and Smelting Co., Petitioner, vs. Frederick Lewisohn et al.	The argument of this cause was commenced by Mr. Edward F. McClennen, of counsel for the petitioner, and continued by Mr. Eugene Treadwell, of counsel for the respondent.

Proclamation being made, the court is ad-

Monday, April 3d, 1905.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham
Joseph McKenna
Oliver Wendell Holmes
William R. Day
William H. Moody, Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. B. S. Waggener, it is ordered that Henry McGrew and Henry L. Alden, Esquires, of Kansas City, State of Kansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Warren Keifer, it is ordered that Alexander Jay Miller, Esquire, of Bellefontaine, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Monday, April 20th, 1908. continued,

On motion first made to the Court in this behalf by Alford W. Cooley, it is ordered that John C. Sweet, Esquire, of Minneapolis, State of Minnesota; Carlos Greenleaf White, Esquire, of Cleveland, State of Ohio; George W. Abele, Esquire, of Boston, State of Massachusetts, Walter F. Daly, Esquire, of Denver, State of Colorado, and J. Herbert Cole, Esquire, of Detroit, State of Michigan, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in his behalf by Mr. W. B. Brown it is ordered that Charles H. Dearing, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that George A. Mahan, Esquire, of Hannibal, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Butler, it is ordered that Seymour Coleman, Esquire,

practice as an attorney and counsellor of this Court, and he was sworn accordingly

599

On motion first made to the Court in this behalf by Mr. Noel M. Barksdale, it is ordered that S. M. Brosius, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Lin Hop Tong, Plaintiff in Error,
vs.
The United States.

In Error to the District Court of the United States for the District of Nebraska

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to discharge the plaintiff in error from custody, without prejudice to further proceedings.

Per Mr. Justice Day.

17 Crim

The United States, Appellant, vs. The Chandler-Dunbar Water Power Company. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause be, and the same is hereby, affirmed, and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Michigan.

Per Mr. Justice Holmes.

Dissenting: Mr. Justice Harlan.

Ex parte: In the matter of Albert N. Moore, an infant, by his next friend, George Safford, Original. Petitioner. On consideration of the petition for a writ of Mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the

charged, and that said petition be, and the same is hereby, denied.

per Mr. Justice Brewer

Dissenting:
Mr. Chief Justice Fuller

587

Ex parte: In the matter of The State of Nebraska, Petitioner.

15 Original

On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by the Court that the rule to show cause be discharged, and that said petition be and the same is hereby, dismissed.

per Mr. Chief Justice Fuller

Loon Shung alias Ng Shung, Plaintiff in Error
vs.
The United States.

31

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

688

per Mr. Chief Justice Fuller

William Potter Davis, Jr., Trustee in Bankruptcy of Arkonia Fabric Manufacturing Company, Petitioner vs. B. Crompton, G. Crompton, E. D. Thayer and H. B. Sheffield, trading as Crompton & Thayer Loom Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Village of Saratoga Springs et al., Petitioners, vs. The Cameron Septic Tank Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel

against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

692 Frank T. W. Palmer, Petitioner, vs. Jordyce M. Bradley, personally & as trustee under the last will & testament of Anna M. Benedict, deceased, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

693. The New York, New Haven & Hartford Railroad Co., Petitioner vs. The Steamship "Werdenfels" Deutsche Dampschifffahrts Gesellschaft Hansa, Claimant.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of

Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

George B. Christie and Jesse Lowe, doing business under the firm name of Christie & Lowe, et al., Petitioners vs. The Texas Steamship Co. | On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

194. Charles W. Hunter and The Anderson Tully Co., vs. Petitioners, Rebecca A. Johnson, Albert M. Johnson and Cliff C. Johnson

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that the decree of the Circuit Court of the United States for the Eastern District of Arkansas, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court.

Per Mr. Chief Justice Fuller

69. Victor A. Cook, vs. Petitioner Mobile, Jackson & Kansas City Railroad Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Adnnis Taylor in support of the same, and Mr. Joseph C. Rich and Mr. William A. McDonald in opposition thereto.

The Board of County Commissioners of Tuborn County, Minn., (Petitioners
617. vs.
The Interstate Drainage & Investment Company.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Norman E. Peterson in support of the same, and Mr. Thomas D. Healy in opposition thereto.

Daniel B. Scully et al., Appellants,
353 vs.
Arthur C. Bird

On motion of Mr. E. J. Fenwick, of counsel for the appellants

It is ordered by the Court that this cause be, and the same is hereby, advanced, pursuant to the 32d Rule.

Daniel B. Scully et al., Appellants,
353. vs.
Arthur C. Bird

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward J. Fenwick, of counsel for the appellants, and Mr. John E. Bird, of counsel for the appellee.

The New York Central & Hudson River Railroad Co., (Plaintiff in Error)
vs.
The United States.

Mr. John D. Lindsay, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this case.

The United States, (Plaintiff in Error)
vs.
The New York Central & Hudson River Railroad Co.

Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Western Loan & Savings Co., (Plaintiff in Error)
vs.
Butte & Boston Consolidated Mining Company.

On motion of Mr. J. J. Darlington in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, advanced pursuant to the 32d Rule.

Western Loan & Savings Co., (Plaintiff in Error)
vs.
Butte & Boston Consolidated Mining Company.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John H. Shelton, of counsel for the plaintiff in error, and Mr. Lewis C. Evans,

to counsel for the defendant in error to file a printed brief hereon on or before May 1st.

391 George H. Penrose, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Frederic D. McKenney, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefor, in pursuance of said motion, it is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

418 Gustav Holmgren, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William M. Madden in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

419 Martin W. Stewart et al, Petitioners, vs. The Board of Trustees of Park College et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court

and Mr. H. B. C. Brown
Nearing in support of the same, and
H. L. Alden in opposition thereto.

Ontario Land Company,
277 vs. Plaintiffs in Error.
Jay Gordy et ux.

The motio
dismiss w
cause was
ted to the
eration of the Court on the record and
ed arguments by Mr. B. S. Grosscup in
of the same, and Mr. A. L. Agatin and Mr. H. B. C. B
thereto.

Old Dominion Copper
Mining & Smelting Co.,
206. vs. Petitioner
Frederick Lewisohn et al.

The argume
this cause w
continued b
Esquire, and
of counsel fo
respondents, and concluded by Mr. Louis
Brandeis, of counsel for the petitioner.

Henry Clay Pierce.
35 vs. Appellant.
Edmund Creecy,
Chief of Police, &c.

The argume
this cause w
commenced
Mr. Joseph H
Choate, Jr., of c
for the appellant, and continued by Mr.
Barclay, of counsel for the appellee.

Proclamation being made, the Court is adjo

Tuesday, 3d April 21st, 1908

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Norris Brown, it is ordered that Fred K. Nielsen, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Clarence Harmon Olson, Esquire, of Honolulu, Territory of Hawaii; Robert Burch Oliver, Junior, Esquire, of Cape Girardeau, State of Missouri; Curtis E. McBride,

Mansfield, State of Ohio, be admitted
practice as attorneys and counsellors
Court, and they were sworn accordi

On motion first made to the Court
behalf by Mr. Robert V. Davidson, it is
dered that F. J. McCord, Esquire, of
State of Texas, be admitted to practice
attorney and counsellor of this Court, a
was sworn accordingly.

209. Thomas H. Pickford et al, Plaintiffs in Errors
vs.
Henry M. Talbott

On motio
Mr. Henry
of counsel
the plaint

in error. It is ordered by the Court tha
cause be, and the same is hereby, assig
for argument on Tuesday, October 13
next, after the cases heretofore assigned f
that day.)

357 Henry Clay Pierce, Appellant,
vs.
Edmund P. Creecy,
Chief of Police, &c.

The argument
this cause was
tinued by Mr.
and Barclay,
Mr. F. J. McCord

counsel for the appellee, and concluded
Mr. Joseph H. Choate, of counsel for the
pellant. Leave was granted counsel for
appellee to file an additional brief here
within five days.

The Galveston, Harrisburg & San Antonio Railway Co. et al, Plaintiffs in Error,
vs.
The State of Texas.

No. 230.

The argument of this cause was commenced by M. A. M. Garwood, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned until tomorrow, at twelve o'clock.

Wednesday, April 22d, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. John G. Thompson, it is ordered that Hugh Gibson, Junior, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Corcoran Thom, It is ordered that St. Frank Noonan, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

21st

Wednesday, April 22d, 1908, (continued)

On motion first made to the Court in this behalf by Mr. Jackson A. Nalon, it is ordered that William E. Richardson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. F. Colladay, it is ordered that Curtis Nye Smith, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Prescott Gatley, it is ordered that John Miner, Esquire of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Missouri Pacific Railway Co., Plaintiff in Error,
vs.
The Larabee Flour Mills Co.

It is ordered by the Court that this cause be, and the same is hereby, continued to the next term pursuant to stipulation of counsel.

The Galveston, Harrisburg & San Antonio Railway Co. et al., Plaintiffs in Error,
vs.
The State of Texas.

The argument of this cause was continued by Mr. H. M. Garwood, of counsel for the plaintiffs in error, and Mr. William C. Hawkins and Mr. Robert V. Davidson, of counsel for the defendant in error, and concluded by Mr. Maxwell Evarts, of counsel for the plaintiffs in error.

208

Jacob L. Sanderson, Surviving Partner, etc., Appellant,
vs.
The United States et al.

The argument of this cause was commenced by Mr. Jackson H. Ralston, of counsel for the appellant, and continued by Assistant Attorney General John G. Thompson, of counsel for the appellees.

Proclamation being made, the Court is ad-

Pursuant to adjournment, the Court met today, at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John G. Thompson, it is ordered that Francis W. Hyman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry M. Goldfogle, it is ordered that Michael B. Feeney, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court u
behalf by Mr. Frank L. Littleton, it
that George H. Gifford, Esquire, of Ti
State of Indiana, be admitted to pra
as an attorney and counsellor of t
Court, and he was sworn accordin

209 Janie L. Sanderson, surviving partner, etc., vs. The United States et al. Appellant. The a of thi was co by Mr. Attorn

John G. Thompson, of counsel for the a
and concluded by Mr. William E. Ri
of counsel for the appellant.

210 Globe Newspaper Company, vs. George H. Walker et al Plaintiff in Error. This ca was ar by Mr. Quinby

counsel for the plaintiff in error, and
L. Boulwell, of counsel for the defend
error.

211 Herman Tasch, vs. Frederick D. Allen, Commissioner of Patents. Appellant and Plaintiff in Error. Mr. C J. He of co for the plant a

plaintiff in error, suggested the resign

(Patents and the appointment of Edward B. Moore as his successor in said office, and moved the Court to make the said Edward B. Moore, as such Commissioner of Patents, the party appellee and defendant in error in this cause. Whereupon, It is now here ordered by the Court that Edward B. Moore, as Commissioner of Patents, be, and he is hereby, made the party appellee and defendant in error in this cause.

311 Herman Frasch, Appellant & Plaintiff in Error, vs. Edward B. Moore, Commissioner of Patents.

The argument of this cause was commenced by Mr. Charles J. Hedrick, of counsel for the appellant and plaintiff in error.

Proclamation being made, the Court is

Friday, April 24th, 1908.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by the Solicitor General Hoyt, it is ordered that Christopher T. Callahan, Esquire, of Holyoke, State of Massachusetts, and Orris P. Cobb, Esquire, of Cincinnati, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lee S. Overman, it is ordered that William H. Stewart, Esquire, of Dunn, State of North Carolina, be admitted to practice as an attorney and counsellor

of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. Henry M. Goldfogle, it is ordered that William C. Smith, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counselor of this Court, and he was sworn accordingly.

226 J. N. Seale, Plaintiff in Error, vs. The State of Georgia. In Error to the Supreme Court of the State of Georgia.

This cause having been called to the attention of the Court by Mr. W. A. Henderson, of counsel for the plaintiff in error, and he having suggested that this cause has abated owing to the death of the plaintiff in error. Therefore, in pursuance of such suggestion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

211 Herman Straseck, Appellant & Plaintiff in Error,
vs.
Edward B. Moore, Commissioner of Patents.

The argument of this cause was continued by Mr Charles J. Hedrick, of counsel for the appellant and plaintiff in error, and Mr. Solicitor General Hoyt, of counsel for the appellee and defendant in error, and concluded by Mr. Charles J. Hedrick, of counsel for the appellant and plaintiff in error.

212 Continental Wall Paper Co., Petitioner.
vs.
The Lewis Voight & Sons Co.

The argument of this cause was commenced by Mr. Louis Marshall, of counsel for the petitioner, and continued by Mr. Orris P. Cobb and Mr. Morrison R. Waite, of counsel for the respondent.

Proclamation being made, the Court is adjourned until Monday next, at twelve o'clock.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Hoyt, it is ordered that William C. Johns, Esquire, of Decatur, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Reid, it is ordered that J. C. Floyd, Esquire, of Yellville, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Thompson, it is ordered that Arthur T. Dumenil, Esquire, of Barbisville, State of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Wayne Parker, it is ordered that Charles Roberts Snyder, Esquire, of Atlantic Highlands, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Bennett, it is ordered that Ely Rosenberg, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank W. Hackett, it is ordered that Samuel L. Powers, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Cushman, it is ordered

Concomully, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick D. Sykes, it is ordered that Louis Stanislaus Bundell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Arnold Charles Weil, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Duane E. Toy, it is ordered that Charles M. Wilson, Esquire, of Grand Rapids, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Central Railroad Co. of New Jersey, Plaintiff in Error, vs. The Mayor &c. of Jersey City &c. Robert Davis, Collector thereof. In Error to the Court of Errors &c. Appeals of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Errors and Appeals in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Holmes.

Frederick Lang, Plaintiff in Error, vs. The State of New Jersey. In Error to the Court of Errors &c. Appeals of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Errors and Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

J. G. Bogard, J. W. Simpson & W. F. Hoover et al., Appellants, vs. F. A. Sweet, J. L. Sweet, Seona S. Hurd et al. — Appeal from the Supreme Court of the Territory of Oklahoma

56.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Oklahoma.

-per Mr. Justice Harlan.

The Chief Justice announced that the call of the docket will be suspended on Friday, May 1st; that the Court will take a recess on Monday, May 11 to Monday, May 18 and from Monday, May 18 to Monday, June 1st, on which day it will adjourn for the term.

The New York Central &
Hudson River Railroad Co.,
Plaintiff in Error,
2/14 29/ vs.
The United States.

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per Mr. Chief Justice Fu

The United States,
Plaintiff in Error,
624 vs.
The New York Central &
Hudson River Railroad Co.

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per Mr. Chief Justice

Ontario Land Company,
Plaintiff in Error,
2/14 vs.
Jay Gordy et al.

It is orde
the Court
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sideratio
the motion to dismiss in this cause be, and
same is hereby, postponed until the hea
of the cause on the merits.

Gustav Holmgren, Petitioner, vs. The United States Court of Appeals for the Ninth Circuit. } On petition for writ of certiorari to the United States Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr Chief Justice Fuller

The Board of County Commissioners of Freeborn County, Minnesota, Petitioner, vs. The Interstate Drainage & Investment Company. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

Per Mr Chief Justice Fuller

692. Victor A. Cook, Petitioner, vs. Mobile, Jackson & Kansas City Railroad Co. — On petition for writ to the United Sta Court of Appeals Fifth Circuit

On consideration of the petition for a certiorari herein to the United States Court of Appeals for the Fifth Circuit, of the argument of counsel thereupon as well in support of as against the sa It is now here ordered by the Court tha petition be, and the same is hereby, den

per Mr. Chief Justice

697. Martin W. Stewart et al., only heirs at law of Martin Stewart, deceased, Petitioners, vs. The Board of Trustees of Park College et al. — On petition for certiorari to th States Circuit of Appeals for Eighth Circu

On consideration of the petition for a w certiorari herein to the United States Court of Appeals for the Eighth Circuit, of the argument of counsel thereupon as well in support of as against the sa It is now here ordered by the Court tha said petition be, and the same is hereby,

per Mr. Chief Justice

Monday, April 27th, 1908. (continued)

171. The Farmington Deposit Bank & Trust Co., of Elyria, Ohio, Appellant, vs. Nathan Loeser, Trustee of the estate of Cassius L. Chadwick, bankrupt. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

731. The United States, Petitioner, vs. John W. Dickinson. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Hoyt and Mr. Asa P. French in support of the same, and Mr. Strauss W. Haskell, in opposition thereto.

726 Grace Gleason et al, Petitioners vs. The Delaware, Lackawanna and Western Railroad Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John W. Griggs in support of the same, and Mr. John G. Johnson in opposition thereto.

729 G. & C. Merriam Company, Petitioner, vs. George W. Ogilvie. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. William B. Hale, Mr. Charles N. Judson and Mr. Francis F. Reed in support of the same.

Original. State of Louisiana, Complainant, vs. James R. Garfield, Secretary of the Interior et al. On motion of Mr. George H. Lamar, of counsel for the complainant, It is ordered by the Court that the demurrer herein be, and the same is hereby, assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

Monday, April 25th, 1904, continued

727 The Waters Pierce Oil Co., Plaintiff in Error,
vs.
The State of Texas

Mr. A. S. Burleson, in behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

728 The Waters Pierce Oil Co., Plaintiff in Error,
vs.
The State of Texas

The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. R. V. Davidson, Mr. J. C. Lightfoot, Mr. T. W. Gregory and Mr. C. W. Allen, of counsel for the defendant in error, in support of the same, which submission was opposed by Mr. J. L. Shannon, of counsel for the plaintiff in error, for want of proper notice.

728 The Waters-Pierce Oil Co., Plaintiff in Error,
vs.
The State of Texas.

Mr. A. S. Burleson, in behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

E. J. Cotton et al.,
159. vs. Plaintiffs in Error,
The Territory of Hawaii &c.

Honolulu Rapid Transit & Land Co.,
204 vs. Plaintiff in Error,
James L. Holt, Assessor.

Honolulu Rapid Transit & Land Co.
285 vs. Appellant.
James L. Holt, Assessor.

Morita Meizo,
241 vs. Plaintiff in Error,
William Henry, High Sheriff &c.,
James L. Holt, Tax Assessor, &c.,

244 vs. Plaintiff in Error,
Inter-Island Steam Navigation Company, Limited.

Hannah Fitchie et al.,
263. vs. Appellants,
Cecil Brown et al.,
Executors &c.

On motion of Mr. M. P. Prosser, of counsel, it is ordered by the Court that these cases and they are hereby assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned, for that day.

Green County, Kentucky,
214 vs. Petitioner,
Mary Annis Quinlan,
Executrix, &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed argument by Mr. Ernest Macpherson in support of the

George Durelle and Mr. Attilla Cotrjr., in opposition thereto.

715 Green County, Kentucky, Petitioner. vs. John Thomas' Executor et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Ernest Macpherson in support of the same, and Mr. Alexander Pope Humphreys in opposition thereto.

713. Fulgencio Segovia et al., Petitioners, vs. The Steamship "Iris" &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. Arnold Charles Weil and Mr. J. Parker Kirlin in support of the same, with leave to counsel for respondent to file a brief in opposition thereto within one week.

699. Hygienic Chemical Co. et al., Petitioners, vs. Rumford Chemical Works. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Willard Parker

post of the same, and Mr. Philip M
and Mr. C.A.L. Massie in opposito

732. Lemert & Cook, Petitioners, vs. The United States. The petition
writ of certio
herein was
to the consid
of the Court on printed arguments
A. M. Imbrie in support of the sam
Mr. Solicitor General Hoyt in opposit
thereto.

735 James A. Shine et al., Petitioners, vs. Fox Brothers Manufacturing Co. The peti
a writ o
was sub
to the consideration of the Court on
printed argument by Mr. Shepard B
Mr. Thomas J. Saunderson, and Mr. C
A. Saunderson, in support of the sam
leave to counsel for the respondent to f
printed brief in opposition thereto w
one week.

357. Henry Clay Pierce, Appellant, vs. Edmund P. Creecy, Chief of Police, &c. On motion of
Shepard Barc
counsel for the
It is ordered by
Court, that the time
within
file an additional brief herein, be, and

287 Morris Rosenfield, Isaac Rosenfield, Louis Rosenfield and William Levi, partners, trading as Rosenfield Bros. & Co. (Plaintiffs in Error) vs. The Commonwealth of Kentucky, by T. C. Albritton, Revenue Agent. In Error to the Court of Appeals of the State of Kentucky.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

212 Continental Wall Paper Co., Petitioner vs. The Lewis Voight & Sons Co. The argument of this cause was concluded by Mr. Morison.

R. Waile, of counsel for the respondent.

680 James L. Yeales, Appellant vs. George B. Robertson, Sheriff, &c. This cause was argued by Mr. John Randolph Cooper, of counsel for the appellant, and submitted on a printed argument by Mr. John C. Hart, of counsel.

214 The Cleveland, Cincinnati Chicago & St Louis Railway Co, (Plaintiff in Error,
vs.
Robert L Porter et al.

This cause was argued by Mr. Frank L. Littleton, of counsel for the plaintiff in error, and Mr. George H. Gifford, of counsel for the defendants in error.

215 Thomas J. Saunderson, (Plaintiff in Error,
vs.
J. J. Lum.

On motion of Mr. Shepard Barclay, of counsel for the plaintiff in error, It is ordered by the Court that the writ of error herein be, and the same is hereby, amended by changing the name of Thomas J. Saunderson to that of Thomas J. Saunderson.

215 Thomas J. Saunderson, (Plaintiff in Error,
vs.
J. J. Lum.

The argument of this cause was commenced by Mr. Shepard Barclay, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned

(Pursuant to adjournment, the Court met today at the Capitol.

(Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William A. Moody,
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John B. Larner, it is ordered that William D. Snow, Esquire, of Hackensack, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that James L. Geary, Esquire, of Washington, District of Columbia, and George B. Edgerton, Esquire, of St. Paul,

practice as attorneys and counsellors of this Court, and they were sworn accordingly.

231. On motion first made to the Court in this behalf by Mr. Shepard Barclay, it is ordered that John Kennish, Esquire, of Jefferson City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

735 James A. Shuniet al., Petitioners vs. For Brothers Manufacturing Co. On motion of Mr. Shepard Barclay, of counsel for the petitioners, 315

It is ordered by the Court that one week additional time be allowed counsel for the respondent to file a brief herein, and three days thereafter to counsel for the petitioners to file a reply thereto.

230. Annie Kealoha et al., Appellants, vs. William R. Castle, Trustee, &c. This cause was submitted to the consideration of the Court on the record and printed arguments by the appellants in propria personam, and Mr. A. L. M. Robertson and Mr. David L. Withington, of counsel for the appellee. 217

The Kansas City North-
western Railroad Co.,
Appellant;
vs.
D. A. Kelly, Administrator &c.

This cause was submitted to the consideration of the Court on the record

printed arguments by Mr. B. P. Waggener, of counsel for the appellant, and Mr John H. Atwood, of counsel for the appellee

Thomas J. Saunderson,
Plaintiff in Error;
vs.
A. J. Sims.

The argument of this cause was concluded by Mr. Shepard Barclay, of counsel for the plaintiff in error, and the cause was submitted on a printed argument by Mr. S. C. Catchings and Mr. W. W. Catchings, of counsel for the defendant in error.

The Mayor &c., of the City of Knoxville,
Appellant;
vs.
Knoxville Water Co

This cause was argued by Mr. C. W. Pickle, of counsel for the appellant, and Mr Joshua W. Caldwell and Mr R. E. L. Mountcastle, of counsel for the appellee.

Proclamation being made, the Court is adjourned

Wednesday, April 29th, 1908.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Shepard Barclay, it is ordered that Thomas Bond, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

236 Lucinda Brandon, personally & as administratrix &c., et al., vs. Newton L. Ard. (Plaintiffs in Error)

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. T. A.

and Mr. Oscar Touch of counsel for the defendant in error.

218. The Mobile, Jackson and Kansas City Railroad Co., Pltf. in Error, vs. The State of Mississippi, Defendant in Error. This cause was argued by Mr William Hepburn Russell, of counsel for the plaintiff in error, and Mr Hannis Taylor and Mr. R. V. Fletcher, of counsel for the defendants in error.

219. Delmar Jockey Club, Plaintiff in Error, vs. State of Missouri on the relation of the Attorney General. The argument of this cause was commenced by Mr. Thomas Bond, of counsel for the plaintiff in error, and continued by Mr. John A. Kennish, of counsel for the defendants in error.

Proclamation being made, the court is adjourned

Thursday, April 30th, 1908.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices.
Oliver Wendell Holmes
William R. Day
William H. Moody,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. A. St. George Tucker, it is ordered that James R. Caton, Esquire, of Alexandria, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harrison Geer, it is ordered that Clark Burton Hines, Esquire, of Belleville, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

219 Delmar Jockey Club, Plaintiff in Error, vs. State of Missouri on the relation of the Attorney General. The argument of this cause was concluded by Mr Thomas Bond of counsel for the plaintiff in error, and leave was granted him to file a reply brief within one week.

220 Albert W. Brown, Plaintiff in Error, vs. The Estate of George M. Fletcher. The argument of this cause was commenced by Mr John Meier of counsel for the plaintiff in error; continued by Mr Henry M. Campbell, of counsel for the defendant in error, and concluded by Mr Harrison Heer, of counsel for the plaintiff in error.

221 First National Bank of Decatur, Plaintiff in Error, vs. Albert G. Hinkly. The argument of this cause was commenced by Mr Harris Taylor, of counsel for the plaintiff in error.

(Proclamation being made, the Court is ad-

Friday, May 12th, 1905.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk,

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. J. Hopkins, it is ordered that Emil C. Wedell, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Davidson, it is ordered that J. C. Thompson, Esquire, of Oshkosh, State of Wisconsin be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Hayden, it is ordered that R. E. Lee Marshall and J. Hanson Thomas, Esquires, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harris Taylor, it is ordered, that C. C. Harris, Esquire, of Decatur, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Wayne Parker, it is ordered, that Holmes V. M. Dennis, Jr., Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harvey M. Friend, it is ordered that E. O. Patterson, Esquire, of Washington, District of Columbia, and Oscar D. Olmstead, Esquire of Pulaski, State of Iowa, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wallace Greene, it is ordered that Howard Thomas Wilcoxon, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

221. The First National Bank of Decatur, Plaintiff in Error, vs. Albert C. Henry.

The argument of this cause was continued by Mr. Hannis Taylor, of counsel for the plaintiff in error, and Mr. Amos E. Woodhue, of counsel for the defendant in error, and concluded by Mr. E. W. Godby, of counsel for the plaintiff in error.

228 The American Surety Co., of New York, Plaintiff in Error, vs. The Akron Savings Bank Co. et al.

It is ordered by the Court that this cause be, and the same is hereby, continued to the next term per stipulation of counsel.

Proclamation being made, the Court is adjourned

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice;
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham, Associate
Joseph McKenna, Justices
Oliver Wendell Holmes
William R. Day
William H. Moody,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk,

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. James E. Padgett, it is ordered that Richard Pinhallow Evans, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Winship Wheatley, it is ordered that Maurice F. Davidson, Esquire, of New York City, be admitted to practice as an attorney and counsel-

3083 Daniel B. Scully and Maurice H. Scully, vs. Arthur C. Bird, Appellants, Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings.

Per Mr. Justice McKenna.

Mr. Justice Harlan concurs in the decree.)

The St. Paul, Minneapolis & Manitoba Railway Co., vs. John R. Donohue, Plaintiff in Error, In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme

is hereby, affirmed with costs.

Per Mr. Justice White

Dissenting:
Mr. Chief Justice Fuller
Mr. Justice Brewer
Mr. Justice Moody.

Empire State Cattle Co.
W. E. Waite, E. F. Waite et al,
Petitioners,
vs.
The Atchison, Topeka & Santa Fe Railway Co

Writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Kansas.

Per Mr. Justice White.

The Minnesota & Dakota Cattle Company, Petitioner
vs.
The Atchison, Topeka & Santa Fe Railway Co.

Circuit of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

174

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Kansas.

Per Mr. Justice White.

Hygienic Chemical Co., of New York et al., Petitioners
vs.
Rumford Chemical Works.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

175

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is

petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

Green County, Kentucky, Petitioner,
vs.
Mary Amis Quinlan, Executrix of the last will and testament of Leonard L. Quinlan, deceased

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition, for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Green County, Kentucky, Petitioner,
vs.
John Thomas' Executor, Henry Knifpenberg et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth

sel. thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

726.

731. The United States, (Petitioner) vs. John W. Dickinson } On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

732

733. G. & C. Merriam Co., (Petitioners) vs. George W. Gilvie } On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel ~~thereupon had, as well~~ in support of ~~as against~~ the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Spaco Gleason, Jesse Hoyer adt, Florence Roseman et al., Petitioners, vs. The Delaware, Lackawanna & Western Railroad Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

Clement S. Cook, Petitioner vs. The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

No. 228. The Waters Pierce Oil Co., (Plaintiff in Error)
vs.
The State of Texas.

On reading and considering the motion of the defendant in error to advance cause, It is hereby ordered by the Court that said motion be, and the same is hereby, granted, and cause assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice

No. 228. The Waters Pierce Oil Co., (Plaintiff in Error)
vs.
The State of Texas.

On reading and considering the motion of the defendant in error to advance cause, It is now hereby ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice

No. 228 The Waters-Pierce Oil Co., (Plaintiff in Error)
vs.
The State of Texas.

It is ordered by the Court that the further consideration of the motion to dismiss in this cause, be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice

680. James S. Yeates, Appellant, vs. George B. Robinson Sheriff of Bibb County, Georgia. Appeal from the District Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the finial order of the said District Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

4 Original. Commonwealth of Virginia, Complainant, vs. State of West Virginia. This cause having been heard upon the pleadings and accompanying exhibits, it is, on consideration, ordered that it be referred to a special master, to be hereinafter designated, to ascertain and report to the Court:

1. The amount of the public debt of the Commonwealth of Virginia on the first day of January, 1861, stating specifically how and in what form the same was evidenced, by what authority of law and for

the dates and nature of the bonds or o
dines of said indebtedness.

2. The extent and value of the ter
Virginia and of West Virginia pro
and the population thereof, with and
slaves, separately.

3. All expenditures made by the C
wealth of Virginia within the territ
constituting the State of West Virgini
any part of the debt was contracted.

4. Such proportion of the ordinary
of the government of Virginia since any
debt was contracted, as was properly a
able to the counties which were create
the State of West Virginia on the basi
average total population of Virginia,
and without slaves, as shown by the c
of the United States.

5. And also on the basis of the fair
ted valuation of the property, real and p
by counties, of the State of Virginia

6. And all moneys paid into the tre
of the Commonwealth from the counties
ed within the State of West Virginia du
the period prior to the admission of the
State into the Union

7. The amount and value of all m
property, stocks and credits which West Vi
received from the Commonwealth of Virg
not embraced in any of the preceding it
and not including any lands [illegible]

credits which were obtained or acquired by the Commonwealth after the date of the organization of the restored government of Virginia, together with the nature and description thereof.

The answers to these inquiries to be without prejudice to any question in the cause.

It is further ordered that the Commonwealth of Virginia and the State of West Virginia shall each, when required, produce before the master upon oath, all such records, books, papers and public documents as may be in their possession or under their control, and which may, in his judgment, be pertinent to the said inquiries and accounts, or any of them.

And the master is authorized to make, or cause to be made, such examination as he may deem desirable of the books of account, vouchers, documents and public records of either State relating to the inquiries he is herein directed to make, and to cause copies thereof or extracts therefrom, to be made for use in making up his report.

All public records published by authority of the Commonwealth of Virginia prior to the 17th day of April, 1861, and all papers and documents and other matter constituting parts of the public files and records of Virgi

the judgment of the master may be relevan
pertinent to any of said inquiries, or copi
thereof if duly authenticated, may be us
evidence and considered by the master
all such evidence shall be subject to ex
to its competency. The public acts and rec
of the two States since the admission of W
Virginia into the Union shall be eviden
pertinent and duly authenticated; but a
such evidence tendered by either party s
be subject to proper legal exceptions to its c
petency.

The master is empowered to summo
any persons whose testimony he or either pa
may deem to be material, and to cause t
depositions to be taken before him, or by a
public or other officer authorized to take t
same, after reasonable notice to the adver
party.

The master is authorized and empowe
subject to the approval of the Chief Justice,
employ such stenographers and other cleri
assistants as he may find it desirable to e
ploy in order to the prompt and efficient
execution of this order of reference, and t
agree with such stenographers and typewri
and clerical assistants upon such comp
sation to be made to them as the master m
consider reasonable and just. He is autho
to direct their compensation to be paid ou

cause.

The complainant shall cause the sum of five thousand dollars to be deposited with the marshal of this court to the credit of this cause, and such further sums as from time to time may be required, on account of the costs and expenses of executing this decree; and the master is authorized from time to time to draw upon the fund so deposited by Virginia for the compensation of the stenographers, typewriters and other clerical assistants whom he may employ, and for any other costs and expenses, including stationery and printing, which may in his judgment be necessary to be incurred in executing this order of reference.

The said marshal shall receive such commission for his services in receiving and disbursing the funds so deposited with him as may be allowed by the court, and he will make a report of his transactions, receipts and disbursements in the premises.

Any notices to be given in connection with the execution of this decree may be given by and to the Attorneys General of the respective States.

The master will make his report with all convenient speed and transmit

and is to be at liberty to state any special circumstances he considers of importance, and to state such alternative accounts as may be desired by either of the parties, subject to the direction of the court.

And the court reserves the consideration of the allowance of interest; of the costs of this suit, and all further directions until after the master has made his report; either of the parties to be at liberty to apply to the court as they shall be advised.

Per Mr. Chief Justice Fuller.

662

Commonwealth of Virginia, Complainant.
vs.
State of West Virginia

It is ordered by the court that counsel for the respective parties in this cause have leave to submit, on or before the 18th instant, the name of fit persons for appointment as Master to take the testimony herein.

663.

Per Mr. Chief Justice Fuller.

664

The United States, Complainant.
vs.
J. F. Shipp et al.

Mr. Solicitor General Hoyt, of counsel for the complainant, submitted to the consideration of the Court a motion for leave to take additional testimony herein, and for the reappointment of James D. Maher

582

The Novelty Tufting Machine Company, Petitioner
vs.
The Champion Bed Lounge Company

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Waller for the same, and Mr. Arthur Sloan in opposition thereto.

Edward H. Harriman, Appellant
vs.
The Interstate Commerce Commission.

Otto A. Kahn, Appellant
vs.
The Interstate Commerce Commission
The Interstate Commerce Commission, Appellant,
vs.
Edward H. Harriman

Mr. John A. Marble, of counsel for the Interstate Commerce Commission, submitted to the consideration of the Court a motion to advance these cases.

William E. Rastes, Plaintiff in Error,
vs.
The United States.

Mr. Waller R. Staples, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to proceed herein in forma pauperis.

736 Southern Railway Co. vs. Petitioner, Mrs Josephine King

737 Southern Railway Co, Petitioner vs. Inez King, by her next friend, Mrs Josephine King.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. W. A. Henderson and Mr. J. J. Strickland in support of the same, and Mr. Charles D. Hill in opposition thereto.

398 B. Pendleton Ferriday et al, Appellants, vs. The Middlesex Banking Co. et al

The motion to dismiss this appeal was submitted to the consideration of the Court on printed arguments by Mr. A. R. Boyd and Mr. Edgar A. Farrar in support of the same, and Mr. Wade R. Young in opposition thereto.

716 Eugene Martin, Petitioner vs. Richard T. Wilson

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William J. Harding in support of the same, and Mr. John G. Milburn in opposition thereto.

Ex parte, In the matter of The Perth Amboy Dry Dock Company.

(Original.) Petitioners.

This cause was submitted to the consideration of the Court on the return to the rule to show cause on printed arguments by Mr. James D Dewell, Jr, of counsel for the petitioners, and Mr. Charles R Snyder, of counsel for the respondent.

Proclamation being made the Court is

Monday, May 18th, 1908.

Pursuant to adjournment, the Court met today, at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Edward D. White,
Rufus W. Peckham, Associate
Joseph McKenna, Justices.
Oliver Wendell Holmes,
William R. Day,
William H. Moody,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Edward T. Sanford, it is ordered that William D. Gordon, Esquire, of Beaumont, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. W. W. Wilson, it is ordered, that Charles A. Hutchinson, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Curtis, it is ordered, that C. D. Walker, Esquire, of Atchison, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marcus A. Smith, it is ordered that Isaac Barth, Esquire, of St. Johns, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. B. Whitney, it is ordered, that Alton B. Parker, William A. DeFord, and William P. Burr, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. A. McGowan, it is ordered, that Manuel Rodriguez Serra, Esquire, of San Juan, Porto Rico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

that Jacob Moorer, Esquire, of Orangeburg, and John Adams, Esquire, of Columbia, State of South Carolina, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Harvey, it is ordered that Charles Woodward, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Goodwin, it is ordered that William Steele Jackson, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Herbert it is ordered that Alex. C. Birch, Esquire, of Birmingham, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

201. St. Louis, Iron Mountain & Southern Railway Co., Plaintiff in Error, vs. Mary Taylor, Administratrix in succession of the estate of George W. Taylor, deceased. In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Moody.

(Mr. Justice Brewer concurs in the judgment.)

167. In re James B. Wood and Jethro P. Henderson, Petitioners. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first

in the affirmative, and the third, as having application to a suit before the orders is made in the bankruptcy proceeding, in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Day.

Dissenting:
Mr. Justice Brewer
Mr. Justice Peckham
Mr. Justice Moody.

1908. The City of St. Louis, Appellant, vs. The United Railways Co., et al. The St. Louis Transit Co. } Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice Day.

194. The City of St. Louis, Appellant, vs. The St. Louis & Suburban Railway Company. Appeal from the Circuit Court of the United States for the Eastern District of [illegible].

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court, with directions to dismiss the bill.

Per Mr. Justice Day.

195. The City of St. Louis, Appellant, vs. The St. Louis & Meramec River Railroad Co. Appeal from the Circuit Court of the United States for the Eastern District of [illegible].

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by

Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Day.

The Old Dominion Copper Mining and Smelting Company, Petitioner vs. Frederick Lewisohn et al. } On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

206

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed, with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

per Mr. Justice Holmes.

The Galveston, Harrisburg & San Antonio Railway Co. (Plaintiffs in Error) vs. The State of Texas. } In Error to the Supreme Court of the State of Texas.

307

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court, for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Holmes.

Dissenting:
Mr. Justice Harlan
Mr. Chief Justice Fuller
Mr. Justice White
Mr. Justice McKenna.

Thomas F. Saunderson. (Plaintiff in Error) vs. J. J. Lum. } In Error to the Supreme Court of the State of Mississippi.

215

This cause came on to be heard on the

Court of the State of Mississippi and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Holmes.

Dissenting:
Mr. Justice White
Mr. Justice Harlan
Mr. Justice McKenna
Mr. Justice Day

218 The Mobile, Jackson & Kansas City Railroad Co. and The Gulf & Chicago Railway Company, Plaintiffs in Error, vs. The State of Mississippi, The Mississippi Railroad Commission et al. In Error to the Supreme Court of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration where-

by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed, with costs.

Per Mr. Justice McKenna.

213. The Cleveland, Cincinnati, Chicago & St. Louis Railway Co., (Plaintiff in Error,) vs. Robert L. Porter, Melvin L. Bowlin, and Chester G. Hadley, partners doing business under the firm name and style of Porter, Bowlin & Hadley. In Error to the Appellate Court of the State of Indiana, Division No. 2.

This cause came on to be heard on the transcript of the record from the Appellate Court of the State of Indiana, Division No. 2, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Appellate Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

Mr. Justice Harlan took no part in the decision of this case.)

The Boston & Maine Railroad, Petitioner
198 vs.
John M. Colby

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Vermont.

Per Mr. Justice Peckham.

Jacob L. Sanderson, surviving partner of the firm of Barlow, Sanderson & Co., Appellant,
308. vs.
The United States and The Cheyenne Tribe or Nation of Indians

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here

and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Peckham.

Annie Kealoha and Keoni Williams, Appellants, vs. William R. Castle, Trustee. Appeal from the Supreme Court of the Territory of Hawaii.

230

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Hawaii, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

James Tanner, Plaintiff in Error, vs. James M. Lockhart, Administrator of the estate of John G. Rhoden deceased. In Error to the Supreme Court of the State of Utah.

170

This cause came on to be heard on the transcript of the record from the Su-

was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice White.

33. George Deslions, Sallie M. Perry, Administratrix of Kate M. Perry et al., Petitioners vs. La Compagnie Generale Transatlantique, Owners of the Steamship "La Bourgogne." On writ and cross-writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause be, and the same is hereby, affirmed, each party to pay its own costs; and that this cause be, and the same is hereby, remanded to the District Court of the

220 Albert N. Brown, Plaintiff in Error, vs. The Estate of George N. Fletcher, deceased. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

161 W. A. Gazlay, Hanna J. Gazlay, Hulda G. Miller et al., Appellants, vs. Fletcher R. Williams, Trustee of Harry D. Brown, bankrupt. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed

the same is hereby remanded to the District Court of the United States for the Southern District of Ohio.

Per Mr. Chief Justice Fuller.

(Mr. Justice White concurs in the judgment.)

369. Reuben Quick Bear, Ralph Eagle Feather et al., Appellants, vs. Francis E. Leupp, Commissioner of Indian Affairs, et al. Appeal from the Court of Appeals of the District of Columbia.

735

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

713. Fulgencio Segura et al., Petitioners vs. The Steamship "Fri" &c. Pedersen & Co., Claimants. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

716.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereon, it

as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

James A. Shinn et al., Petitioners, vs. Fox Brothers Manufacturing Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Eugene Martin, Petitioner, vs. Richard T. Wilson sole surviving partner of the copartnership doing business under the firm-name of R. T. Wilson & Co. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States

Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

/25 The Novelty Tufting Machine Company, Petitioners vs. The Champion Bed Lounge Co., et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

/36 Southern Railway Co., Petitioners vs. Mrs. Josephine King On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had,

as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller

Southern Railway Co., Petitioners, vs. Inez King, by her next friend Mrs. Josephine King. (37)

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller

The United States of America, Complainant, vs. J. F. Shipp et al. (5 Miguard)

On consideration of the motion for leave to take additional testimony herein and that James D. Matthews be appointed Commissioner to take the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted, due notice of the names of the particular defendants affected by the proposed evidence to be given and

leave being granted to give evidence in rebuttal.

Per Mr. Chief Justice Fuller.

B. Pendleton Tervinday et al. Appellants,
398 vs. The Middlesex Banking Company et al.

Appeal from the Circuit Court of the United States for the Western District of Louisiana.

This cause came on to be heard on a motion of counsel for the appellees to dismiss this appeal in pursuance of a compromise entered into between the parties, which motion was opposed by counsel for the appellants. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

W. E. Rakes,
582 vs. Plaintiff in Error,
The United States.

On consideration of the motion for leave to proceed in forma pauperis in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

662. Edward H. Harriman, Appellant, vs. The Interstate Commerce Commission.

663 Otto H. Kahn, Appellant, vs. The Interstate Commerce Commission.

664 The Interstate Commerce Commission, Appellant, vs. Edward H. Harriman.

On consideration of the motion to advance these causes, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument as one case on Tuesday, October 13th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

771. The United States, Petitioner vs. Charles R. Evans et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Solicitor General Hoyt in support of the same.

779 The United States, Petitioner vs. The Buehner Steel Wool Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr Solicitor General Hoyt and Mr. Assistant Attorney

with leave to counsel for the respondent to file a brief in opposition thereto on or before Saturday next.

751 R. Flores Magon et al., Appellants, vs. The United States. The motion for a reduction of bail and that the appellants be enlarged on recognizance was submitted to the consideration of the Court on printed arguments by Mr. Halvor Steenerson in support of the same, and Mr. Solicitor General Hoyt in opposition thereto

763 L. S. Hesse & Brother, Petitioners, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. H. Washburn in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

768 The Pullman Company, Petitioner, vs. Willie C. Bacon. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John B. Knox in support of the same, and Mr. Joseph J. Willett and Mr. Alex. C. Birch in opposition thereto.

851 Western Loan and Savings Co., Plaintiff in Error, vs. Butte and Boston Consolidated Mining Co. On motion of Mr. W. D. Sullivan, in that behalf, leave is hereby granted counsel for the plaintiff in error to file a reply brief herein.

761 R. R. Hazlewood et al., Petitioners, vs. Annie E. Snow. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Horace Chilton for certain of the petitioners, and Mr. R. R. Hazlewood in propria persona in support of the same, and Mr. W. D. Gordon in opposition thereto.

777 Arthur McMullen, Petitioner, vs. The O'Rourke Engineering Construction Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Livingston Gifford and Mr. J. Edgar Bull in support of the same.

754 George A. Ballantine et al., Petitioners vs. George L. Treleaven et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Malcolm Lloyd, Jr., Mr. John L. Johnson and Mr Reynolds D. Brown in support of the same, and Mr. John C. A. Pitney in opposition thereto.

755 Hollman & Co., Appellant, vs. Wentworth Lunch Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Maurice P. Davidson in support of the same.

768 James L. Lowdon, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. L. Crawford in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

Monday, May 15th, 1905. continued

773	William R. Wilcox et al., vs. Consolidated Gas Co., of New York. Appellants.	On motion of Mr. Alton B. Parker, of counsel, It is ordered by the Court that these cases be, and the same are hereby, advanced and assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.
774.	The City of New York, vs. Consolidated Gas Co., of New York. Appellant.	
775	William S. Jackson as Attorney General, etc., vs. Consolidated Gas Co., of New York. Appellant.	
609	Robert R. Prentis et al., &c., vs. Louisville & Nashville Railroad Company. Appellants.	On motion of Mr. W. A. Henderson in behalf of counsel, It is ordered by the Court that this case be, and the same is hereby, advanced and assigned for argument on Tuesday, October 13th next, with cases Nos. 606, 607, 608, 610 and 611, as one case.

710 The Western Transit Co., Petitioner vs. John Crosby Brown. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Harvey D. Goulder, Mr. S. A. Holding and Mr Frank S. Masten in support of the same, and Mr. Harrington Putnam and Mr. Frederick M. Brown in opposition thereto.

729 Ajax Metal Co., Petitioner vs. Brady Brass Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. H. B. Stoughton and Mr. John G. Johnson in support of the same, and Mr Frank A. Hall in opposition thereto.

761 Della B Sweeting, Petitioner vs. The Steamer "Western Gales" &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. A. Metcalf in support of the same, and Mr. Adelbert Moot in opposition thereto.

Commonwealth of Virginia, Complainant,
vs.
State of West Virginia

Mr. H. A. Anderson of counsel for the complainant, and Mr. John G. Carlisle, of counsel for the defendant, submitted to the consideration of the Court the names of suitable persons to be appointed master herein.

Commonwealth of Virginia, Complainant,
vs.
State of West Virginia

The motion to modify the decree of reference herein was submitted to the consideration of the Court by Mr. John G. Carlisle, of counsel for the defendant, and leave was granted Mr. Holmes Conrad to reply thereto.

Sucesrie Centrale "Coloso" de Porto Rico,
vs.
Jose Francisco Esteves.

In Error to the District Court of the United States for Porto Rico.

This cause having been called to the attention of the Court by Mr. Frederic D. McKenney, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause,

it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The City of Omaha, Petitioner
vs.
Omaha Water Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John L. Webster and Mr. C. C. Wright in support of the same, and Mr. Howard Mansfield and Mr. R. S. Hall in opposition thereto.

Bernarr MacFadden, Plaintiff in Error,
vs.
The United States.

In Error to the District Court of the United States for the District of New Jersey.

Appearing to this Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

676. Citizens National Bank of Louisville, Appellant vs. S. W. Hager, Auditor of public Accounts for the State of Kentucky, N. V. McChesney, Secretary of State, } Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore in pursuance of said motion, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Proclamation being made, the Court is adjourned

Monday, June 1, 1908.

Pursuant to adjournment, the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Edward D. White
Rufus W. Peckham Associate
Joseph McKenna Justices
Oliver Wendell Holmes
William R. Day
William H. Moody.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Edward T. Sanford, it is ordered that Pierre Beauregard Kennedy, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Charles J. Faulkner, it is ordered that G. F. Snyder, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. W. VanDyke, it is ordered that Daniel C. Williams, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alonzo A. Stewart, it is ordered that George Hiram Mann, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Heyburn, it is ordered that William A. Batting, Esquire, of Wallace, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin R. Johnson, it is ordered that Harry Grant Kimball, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in

ordered that Fred Hodges Benson, Esquire, of Kennedy, State of New York, and Leslie Ammunton Davis, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney, it is ordered that A. Leftwich Sinclair, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Horace M. Havner, Esquire, of Marengo, State of Iowa; Bayard H. Paine, Esquire, of Grand Island, State of Nebraska, and Francis D. Pollak, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. J. Cavanaugh, it is ordered that Lester A. Gabor, Esquire, of Lawton, State of Michigan, be admitted to practice as an attorney and counsellor of this

On motion first made to the Court in this behalf by Mr. Charles Henry Butler it is ordered that Alexander Begg, Roderick Begg, Thomas Davis Day, Jr., John Lardin, Esquires, and Emma Helen Begg, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Corcoran Thom, it is ordered that Jacob Trauce, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

157. Wolfe Londoner and Dennis Sheedy, Plaintiffs in Error, vs. The City and County of Denver as successors to the City of Denver, et al. In Error to the Supreme Court of the State of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and

judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Moody.

Brewer Brown
Mr. Chief Justice Fuller not
Mr. Justice Holmes

Henry Clay Pierce,
Appellant,
vs.
Edmund F. Creecy,
Chief of Police of the
City of St. Louis.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

35

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Moody.

176. The Bobbs-Merrill Co., Appellant, vs. Isidor Straus and Nathan Straus, copartners, doing business under the firm-name and style of R. H. Macy & Company. Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, affirmed with costs, and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Southern District of New York.

per Mr. Justice Day.

Charles Scribner & Arthur Scribner trading as Charles Scribner's Sons, Appellants
vs.
Isidor Straus & Nathan Straus, individually and as copartners trading under the name of R. H. Macy & Company.

Appeal from the United States Circuit Court of Appeals for the Second Circuit.

204

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice Day.

Charles Scribners Sons, Incorporated, Appellant.
vs.
Isidor Straus & Nathan Straus, individually and as copartners trading under the name of R. H. Macy & Co.

Appeal from the United States Circuit Court of Appeals for the Second Circuit.

205

This cause came on to be heard on the

script of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice Day

Globe Newspaper Co., Plaintiff in Error, vs. George A. Walker & Oscar W. Walker, Co-partners doing business under the firm-name and style of Geo. A. Walker & Co. | In Error to the Circuit Court of the United States for the District of Massachusetts.

210

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs, and

remanded to the said Circuit Court with directions to dismiss the action for want of jurisdiction

Per Mr. Justice Day.

Western Loan & Savings Co., In Error to the
335 vs. Plaintiff in Error, Circuit Court of
Butte & Boston Consolidated the United States
Mining Company. for the District of Montana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed in conformity with law.

Per Mr. Justice Day.

The Kansas City Northwestern Railroad Company, Appeal from the
231 vs. Appellant. Circuit Court of the
E. A. Kelly as Administrator de bonis non of L. Zimmerman, deceased. United States for the District of Kansas.

This cause came on to be heard

script of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is, hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Holmes.

Continental Paper Bag Co., Petitioner, vs. Eastern Paper Bag Co. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

202

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs, and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Maine.

Per Mr. Justice McKenna.

Dissenting:
Mr. Justice Harlan.

21 Delmar Jockey Club, Plaintiff in Error, vs. State of Missouri on the relation of the Attorney General of Missouri

In Error to the Supreme Court of the State of Missouri

This cause came on to be heard on the transcript of the record from the Supreme Court of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

169 Eva A. Ingersoll, as Administratrix of the estate of Robert G. Ingersoll, deceased, Petitioner vs. Joseph A. Coram, Henry A. Root and Charles A. Palmer, Trustees.

On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

The Court requests counsel for the respective parties to file, on or before July 1 next, briefs on the following questions of law:

1. Has the Circuit Court jurisdiction to ascertain and declare a lien upon property in the possession of the adminis-

County of Suffolk and State of Massachusetts?

2. Has the Circuit Court jurisdiction to enforce by foreclosure a lien upon property so situated?

3. Has the Circuit Court jurisdiction to determine the shares of Root and Coram in the property so situated?

4. Has the Circuit Court jurisdiction, upon the pending bill, either in its present form or as it might be amended, to direct that Leyson, Root, Coram, or either of them, should hold any property coming into their hands by order of distribution of the Probate Court, upon the trust to satisfy the claim of the complainant?

5. To what extent, if any, is the jurisdiction of the Circuit Court limited or affected by the fact that the property from which payment is sought is in the hands of an administrator appointed by the Probate Court of Suffolk County?

6. Has the Probate Court of Suffolk County, as ancillary to its possession of the property, jurisdiction in Equity to ascertain, declare, enforce and foreclose a lien upon it?

Per Mr. Chief Justice Shaw.

First National Bank of Decatur,
vs. Plaintiff in Error,
221. Albert A. Hickey.

In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of
The Perth Amboy Dry Dock Co,
18 Original. Petitioner.

On consideration of the petition for a writ of prohibition herein, the return to the rule to show cause, and of the argument of counsel, It is now here ordered by the Court that the rule to show cause be discharged, and that the petition be, and the same is hereby, dismissed, without prejudice.

Per Mr. Chief Justice Fuller

143. The Municipality of Ponce, Appellant, vs. The Roman Catholic Apostolic Church in Porto Rico. Appeal from the Supreme Court of Porto Rico.

This cause came on to be heard on the transcript of the record from the Supreme Court of Porto Rico, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

150 R. Flores Mayon et al., Appellants, vs. The United States. On consideration of the motion to reduce the bail of the appellants and to enlarge them on their own recognizances, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

157. Nollman & Company, Appellants, vs. Wentworth Lunch Co. On consideration of the petition for a writ of certiorari herein, It is

petition be, and the same is hereby, granted, the record filed on the appeal to stand as a return to the writ.

per Mr. Chief Justice Fuller.

761. The City of Omaha, vs. Petitioner Omaha Water Co. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Cir.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller

771. The United States, vs. Petitioner Charles R. Evans and Harry J. O'Donnell } On petition for writ of certiorari to the Court of Appeals of the District of Columbia

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Monday, June 1st, 1908, Continued.

(Ajax Metal Company, Petitioners, vs. Brady Brass Company.) On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

No. 429.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

(The Pullman Co., Petitioner, vs. Willie C. Bacon.) On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

No. 538.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

761. Della B Sweeting, Petitioner, vs. The Steamer "Western States," &c., The Detroit & Buffalo Steamboat Co., Claimant

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

763. D. S. Hesser & Brother, Petitioners, vs. The United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

766 R. R. Hazlewood, Will C. Hogg and Imus Hogg as Independent Executors of J. S. Hogg deceased et al, Petitioners vs. Annie E. Snow and her husband G. H. Snow. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

768 James G. Lowdon, Petitioner, vs. The United States. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

770. The Western Transit Company vs. John Crosby Brown. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

771. George A. Ballantine et al., vs. George A. Trelinghuysen et al. Petitioners. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

777 Arthur McMullen, Petitioner, vs. The Mourde Engineering Construction Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

779 The United States, Petitioner, vs. The Buhne Steel Wool Company. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Rumford Chemical Works, (Petitioner,
1112. vs.
Hygienic Chemical Co

It is ordered by the Court that the order entered herein on the 28th day of October, 1907, denying the petition for a writ of certiorari herein be, and the same is hereby, vacated and set aside.

Per Mr. Chief Justice Fuller.

(Rumford Chemical Works, (Petition for writ of certiorari to the United States
1112. vs. (Petitioner Circuit Court of Appeals for
Hygienic Chemical Co the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

Commonwealth of Virginia, (Complainant,
1 Original. vs.
State of West Virginia

It is ordered by the Court that Mr. Charles E. Littlefield, a member of this Bar, be, and he is hereby, des-

under the decree entered herein on May 4, 1908.

per Mr. Chief Justice Fuller.

Commonwealth of Virginia, Complainant, vs. State of West Virginia. Original. On consideration of the motion to modify the decree of reference herein, It is now here ordered by the Court that said motion be, and the same is hereby, sustained so far as to make the first line of paragraph 2 read, "The extent and assessed valuation", and in all other respects that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Harry B. Mulford, Plaintiff in Error, vs. The United States. 802. Mr. Solicitor General, of Counsel for the defendant in error, having filed in open court the following Certificate, viz:

"The United States of America, Supreme Court of the Philippine Islands. I R. Aras, Acting Clerk of the Supreme Court of the Philippine Islands, do hereby certify that in a certain cause pending in said Court, wherein Harry B. Mul-

was appellee, a final judgment was rendered by said Supreme Court on the thirty first day of July, A. D. 1907, in favor of the said United States, and against the said Harry B. Mulford, and that on the tenth day of August, A. D. 1907, said Harry B. Mulford sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my hand and affix the seal of said Supreme Court, at Manila, P. I., this seventh day of September, A. D. 1907.

Seal

R. Heras,
Acting Clerk"

(R. G. 3284)

and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the Supreme Court of the Philippine Islands to be proceeded in according to law and justice.

Mr. Chief Justice Fuller

503 Harry B. Mulford, Plaintiff in Error, vs. The United States

Mr. Solicitor General, Asst. of counsel for the defendant in error, having filed in open Court the following certificate:

"The United States of America
Supreme Court of the Philippine Islands

I, R. Heras, Actuary Clerk of the Supreme Court of the Philippine Islands, do hereby certify that in a certain cause pending in said Court, wherein Harry B. Mulford was appellant, and the United States was appellee, a final judgment was rendered by said Supreme Court, on the thirty first day of July, A. D. 1907, in favor of the said United States, and against the said Harry B. Mulford, and that on the tenth day of August, A. D. 1907, said Harry B. Mulford sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my hand and affix the seal of said Supreme Court, at Manila, P. I., this seventh day of September, A. D. 1907.

(Seal)

R. Heras,
Actuary Clerk."

(R. 4. 3285)

plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now hereby ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the Supreme Court of the Philippine Islands to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Harry B. Mulford, Plaintiff in Error,
vs.
The United States.
8 011.

Mr. Solicitor General Hoyt, of counsel for the defendant in error, having filed in open court the following certificate, viz.:

"The United States of America,
Supreme Court of the Philippine Islands.

I, R. Heras, Acting Clerk of the Supreme Court of the Philippine Islands, do hereby certify that in a certain cause pending in said Court, wherein Harry B. Mulford was appellant, and the United States was appellee, a final judgment was rendered by said Supreme Court on the thirty-first day of July, A. D. 1907, in favor of the said United States, and against the said Harry B. Mulford, and that on the tenth day of August

a writ of error to said Supreme Court thereon to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name and affix the seal of said Supreme Court, at Manila, P. I., this seventh day of September, A. D. 1907.

(Seal)

R. Hevas,
Acting Clerk.

(R. G. 3332)

and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the Supreme Court of the Philippine Islands to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

1798. The United States, Petitioner, vs. Isaac Stephenson et al., Executors &c. The petition for a writ of certiorari herein was

Court by Mr Solicitor General Hoyt in support of the same.

James Farrel,
vs. Plaintiff in Error,
James M. Lockhart,
Administrator, &c.

On motion of Mr. George Sutherland in behalf of counsel, leave is hereby granted to present a petition for rehearing in this cause on or before the first day of the next term.

Leonidas M. Lawson et al.,
vs. Petitioners
United States Mining Co.

The petition for leave to file a supplemental record and for further hearing in this cause was submitted to the consideration of the Court by Mr. W. B. Heyburn in support of the same, and Mr. George Sutherland in opposition thereto. On consideration whereof, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

The United States,
vs. Petitioner.
John W. Dickinson

Mr Solicitor General Hoyt, of counsel for the petitioner, submitted to the consideration of the Court a motion to advance this cause.

771 The United States, Petitioners, vs. Charles R. Evans et al. Mr. Solicitor General Hoyt, of counsel for the petitioners, submitted to the consideration of the Court a motion to advance this cause for argument immediately after case No. 731.

793 Eric P. Swenson et al., Petitioners, vs. John W. Cunningham et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. A. S. Burleson in support of the same.

207 The Galveston, Harrisburg and San Antonio Railway Co. et al., Plaintiffs in Error, vs. The State of Texas. On motion of Mr. A. S. Burleson in behalf of counsel for the defendant in error, leave is hereby granted to present a petition for rehearing herein on or before the first day of September next.

American Express Co.,
785 vs. Appellant,
The United States.
National Express Co.,
786. vs. Appellant,
The United States
United States Express Co.,
787. vs. Appellant,
The United States.
Wells, Fargo & Co.,
788 vs. Appellant,
The United States.
Adams Express Co.,
789. vs. Appellant
The United States.

On motion of Mr. Solicitor General Hoyt, in behalf of counsel for the appellants, It is ordered by the Court that these cases be, and they are hereby, advanced and assigned for argument as one case on Tuesday, October 13th next, after the cases heretofore assigned for that day.

Quintin Gonzalez,
805 vs. Plaintiff in Error,
The United States.

Mr. Solicitor General Hoyt, of counsel for the defendant in error, having filed in open court the following certificate, viz.:

"No. 3091.

The United States of America,
Supreme Court of the Philippine Islands.

I, J. E. Blanco, Clerk of the Supreme Court of the Philippine Islands, do hereby certify that in a certain cause pending in said Court, wherein Quintin Gonzalez was appellant, and the United States

a final judgment was rendered by said Supreme Court on the first day of February, A. D. 1907, in favor of the said United States and against the said Quintin Gonzalez and that on the eighteenth day of February, A. D. 1907, the said Quintin Gonzalez sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States

In testimony whereof I hereunto subscribe my name and affix the seal of said Supreme Court, at Manila, P. I., this nineteenth day of April, A. D. 1907.

Seal

J. E. Blanco,
Clerk of the Supreme Court of the Philippine Islands."

and it appearing to the Court that the plaintiff in error has failed to have the cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands be, and the same is hereby docketed and dismissed; and that this cause be, and the same is hereby, remanded to the Supreme Court of the Philippine Islands to be proceeded

106 Gertrudis Montinola
vs. Plaintiff in Error,
The United States.

Mr. Solicitor General Hoyt, of counsel for the defendant in error, having filed in open court the following certificate, viz.:

"No. 32.38

The United States of America
Supreme Court of the Philippine Islands.

I, J. E. Blanco, Clerk of the Supreme Court of the Philippine Islands, do hereby certify that in a certain cause pending in said Court, wherein Gertrudis Montinola was appellant, and the United States was appellee, a final judgment was rendered by said Supreme Court on the thirteenth day of March, A. D. 1907, in favor of the said The United States, and against the said Gertrudis Montinola, and that on the sixth day of April, 1907, the said Gertrudis Montinola sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court, at Manila, P. I., this nineteenth day of April, A. D. 1907

Seal

J. E. Blanco
Clerk of the Supreme Court

and it appearing to the court that the plaintiff in error has failed to have her cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

807. Gertrudis Montinola, Plaintiff in Error, vs. The United States. Mr. Solicitor General Hoyt, of counsel for the defendant in error, having filed in open court the following certificate, viz:

"No. 3239.

The United States of America.
Supreme Court of the Philippine Islands.

I, J. E. Blanco, Clerk of the Supreme Court of the Philippine Islands, do hereby certify that in a certain cause pending in said Court, wherein Gertrudis Montinola was appellant, and the United States was appellee, a final judgment was rendered by said Supreme Court on the eleventh day

United States, and against the said Gertrudis Montinola, and that on the sixth day of April, 1907, the said Gertrudes Montinola sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court, at Manila, P. I., this nineteenth day of April, A. D. 1907.

(Seal)

J. E. Blanco,
Clerk of the Supreme Court of the Philippine Islands.

and it appearing to the Court that the plaintiff in error has failed to have her cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

508. Joaquin Celis, Plaintiff in Error, vs. The United States.

Mr. Solicitor General Hoyt, of counsel for the defendant in error, having filed in open court

the following stipulation

No. 3362.

The United States of America,
Supreme Court of the Philippine Islands.

I, J. E. Blanco, Clerk of the Supreme Court of the Philippine Islands, do hereby certify that in a certain cause pending in said Court, wherein Joaquin Celis was appellant, and the United States was appellee, a final judgment was rendered by said Supreme Court on the eleventh day of February, A. D. 1907, in favor of the said The United States, and against the said Joaquin Celis, and that on the sixth day of April, A. D. 1907, the said Joaquin Celis sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court at Manila, P. I., this ninth day of April, A. D. 1907.

Seal

J. E. Blanco,
Clerk of the Supreme Court of the Philippine Islands.

and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this court that the writ of error in this cause to the Su-

and the same is hereby docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

Joaquin Delis,
vs. Plaintiff in Error,
The United States.

No. 809

Mr. Solicitor General Hoyt, of counsel for the defendant in error, having filed in open court the following certificate, viz:

"No. 3364

The United States of America
Supreme Court of the Philippine Islands.

I, J. E. Blanco, Clerk of the Supreme Court of the Philippine Islands, do hereby certify that in a certain cause pending in said Court, wherein Joaquin Delis was appellant, and the United States was appellee, a final judgment was rendered by said Supreme Court on the twenty-eighth day of February, A.D. 1907, in favor of the said The United States, and against the said Joaquin Delis, and that on the sixth day of April, A.D. 1907, the said Joaquin Delis sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and af-

Court, at Manila, P. I.,
this nineteenth day of
April, A. D. 1907.

(Seal)

J. E. Blanco,
Clerk of the Supreme Court
of the Philippine Islands."

and it appearing to the Court that the plaintiff in error has failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Philippine Islands be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

C. W. Ney and Juan Garcia Bosque, Plaintiff in Error,
vs.
The United States.

Mr. Solicitor General Hoyt of counsel for the defendant in error, having filed in open court the following certificate, viz:

"The United States of America,
Supreme Court of the Philippine Islands.

I, J. E. Blanco, Clerk of the Supreme Court of the Philippine Islands, do hereby cer-

810

in said Court, wherein The United S
was plaintiff, and C. W. Ney and Juan
cia Bosque were defendants, a final
ment was entered by said Supreme
on the seventeenth day of July, A. D. 19
favor of the said United States, and a
the said C. W. Ney and Juan Garcia
and that on the eleventh day of Nove
A. D. 1907, said C. W. Ney and Juan G
Bosque sued out a writ of error to sa
Supreme Court, directed to remove sa
cause to the Supreme Court of the Uni
States.

In testimony whereof
hereunto subscribe my
and affix the seal of
Supreme Court, at Ma
Philippine Islands, th
fourth day of April,

Seal

J. E. Blanes,
Clerk of the Supreme
of the Philippine Isla

and it appearing to the Court that
plaintiffs in error have failed to have
cause filed and docketed in conformi
with the rules of this Court; It is now
ordered and adjudged by this Court t
the writ of error in this cause to the
Court of the Philippine Islands be, and
same is hereby, docketed and dismisse

hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

City of St. Louis,
193. vs. Appellant,
The United Railways Co. et al.

City of St. Louis,
194 vs. Appellant,
The St. Louis Suburban Railway Co.

City of St. Louis,
195. vs. Appellant,
The St. Louis & Meramec River Railroad Co.

On motion of Mr. Francis D. Tollax, of counsel for the appellees, leave is hereby granted to present a petition for rehearing herein, within thirty days.

The Citizens Central National Bank of New York,
68 vs. Plaintiff in Error,
R. Ross Appleton, Receiver, &c.

Mr. John H. Hutchinson, Jr. of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

Sol Cohn,
511 vs. Plaintiff in Error,
The State of Tennessee

Mr. Charles T. Cates, Jr., of counsel for the defendant in error, having filed in open

"The Supreme Court of the State of Tennessee.
I, Joe J. Roach, Clerk of the Supreme Court of the State of Tennessee, for the Middle Division of Tennessee, do hereby certify that in a certain cause pending in said Court wherein Sol Cohn was plaintiff in error and the State of Tennessee was defendant in error, a final judgment was rendered by said Supreme Court of Tennessee on the 14th day of March, 1908, in favor of the said defendant in error and against the said plaintiff in error, and that on the 11th day of April, 1908, said Sol Cohn sued out a writ of error to the said Supreme Court of Tennessee which on said 11th day of April, 1908 was allowed by the Honorable W. D. Beard, Chief Justice of the Supreme Court of the State of Tennessee for the purpose of removing and directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court at Nashville, Tennessee on this the 26th day of May, 1908.

(Seal)

Joe J. Roach,
Supreme Court Clerk"

and it appearing to the Court that the plaintiff in error has failed to have his cause

the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Tennessee, be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

William Hartman, Plaintiff in Error, vs. The State of Tennessee. Mr. Charles S. Bates, Jr., of counsel for the defendant in error, having filed in open court the following certificate, viz:

"The Supreme Court of the State of Tennessee. I, Joe J. Roach, Clerk of the Supreme Court of the State of Tennessee, for the Middle Division of Tennessee, do hereby certify that in a certain cause pending in said Court, wherein Wm. Hartman was plaintiff in error and the State of Tennessee was defendant in error, a final judgment was rendered by said Supreme Court of Tennessee on the 14th day of March, 1908, in favor of the said defendant in error and against the plaintiff in error, and that on the 11th

sued out a writ of error to the said Supreme Court of Tennessee which on said 11th day of April, 1908 was allowed by the Honorable W. D. Beard, Chief Justice of the Supreme Court of the State of Tennessee for the purpose of removing and directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the Seal of said Supreme Court at Nashville, Tennessee, on this the 26th day of May, 1908.

Seal

Joe J. Roach,
Supreme Court Clerk."

and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Tennessee, be, and the same is hereby docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

Chas. Perkins and
Lem Horton,
Plaintiffs in Error,
vs.
The State of Tennessee.

Mr. Charles E. Coles, Jr., of counsel for the defendant in error, having filed in open

court the following certificate, to-wit:

"The Supreme Court of the State of Tennessee.

I, Joe J. Roach, Clerk of the Supreme Court of the State of Tennessee, for the Middle Division of Tennessee, do hereby certify that in a certain cause pending in said Court wherein Chas. Perkins & Lem Horton were plaintiffs in error and the State of Tennessee was defendant in error, a finial judgment was rendered by said Supreme Court of Tennessee on the 11th day of March, 1908, in favor of said defendant in error, and against the plaintiff in error, and that on the 11th day of April 1908 said Chas. Perkins & Lem Horton sued out a writ of error to the said Supreme Court of Tennessee which on said 11th day of April 1, '08 was allowed by the Honorable W. D. Beard, Chief Justice of the Supreme Court of the State of Tennessee, for the purpose of removing and directing to remove said cause to the Supreme Court of the United States.

In testimony whereof, I

and affix the seal of said Supreme Court at Nashville, Tennessee, on this the 26th day of May, 1908

(Seal)

Joe J. Roach,
Supreme Court Clerk."

and it appearing to the Court that the plaintiffs in error have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Tennessee, be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

No. 25. Alabama National Bank of Birmingham et al., Petitioners, vs. Massasoit-Beaseet National Bank of Taunton, Mass.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John B. Knox in support of the same, and Mr. R. W. Walker in opposition thereto.

791 Southern Railway Co., Petitioner vs. Lemon Townsend

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Millon Humes and Mr. W. A. Henderson in support of the same.

783 Robert A. Graham, Petitioner vs. The Oregon Railroad and Navigation Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Thomas D. Rambaut and Mr. C. A. Van Manson in support of the same, and Mr. Maxwell Evarts in opposition thereto.

794 Richard B. Shepard, Petitioner, vs. The United States

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frank S. Bright and Mr. Jesse B. Roote in support of the same, and Mr. Solicitor General Hoyt in opposition thereto.

194 Waller S. Scott et al., Petitioners, vs. Augustus L. Abbott.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Joseph Laurie and Mr. Frederick N. Judson in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto within thirty days.

164 Frederick M. Stale et al., Plaintiffs in Error, vs. William Culver et al.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on a printed argument by Mr. Thomas J. Cavanaugh and Mr. L. A. Tabor in support of the same.

214 Pedro Romero, Appellant, vs. Carlos Le Brun et al and Adolfo Sixto

Mr. George H. Lamar, of counsel for the appellee, having filed in open court the following certificate, viz:

"I, John L. Clay, Clerk of the District Court of the United States for Porto Rico, do hereby certify that in a certain cause pending in said court, wherein Carlos Le Brun was complainant and Adolfo Sixto, Laureano Sarria, and Pedro Romero were defendants, a final decree was rendered by the District

Court on the 11th day of December, A.D. 1907, in favor of said complainant and of the defendant Adolfo Sixto and against the defendants Laureano Garcia and Pedro Romero; and that on the 13th day of February, A.D. 1908, the said defendant Pedro Romero prayed and took his appeal from said finial decree, for the purpose of removing said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said District Court, at San Juan, Porto Rico, this 31st day of March, A.D. 1908.

(Seal)

John L. Gray
Clerk U.S. District Court
for Porto Rico.

and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the District Court of the United States for Porto Rico, be and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said District Court to be proceeded in accordance

Charles Gring.
784 vs. Petitioner
Chesapeake & Delaware
Canal Company.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Jacob Trauce and Mr. Robert H. Smith in support of the same, and Mr. Andrew C. Gray in opposition thereto.

George F. Dunbar et al.,
799 vs. Petitioners,
David N. Cascaden.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. J. C. Campbell and Mr. W. H. Melson in support of the same.

First National Bank
of Decatur,
221 vs. Plaintiff in Error,
Albert G. Henry.

On motion of Mr. Harris Taylor, of counsel for the plaintiff in error, leave is hereby granted to present a petition for rehearing herein within thirty days.

Miguel Guerra,
458 vs. Plaintiff in Error,
Carlos Conde.

In Error to the District Court of the United States for Porto Rico.

This cause having been called to the attention of the Court by Mr. Frederic D. McKenney,

motion by counsel for plaintiff in error to dismiss the writ of error in this cause having been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

Ex parte; In the matter of William O'Gorman, Petitioner / Original

It appearing to the Court that a motion by counsel for the petitioner to dismiss the petition herein has been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court, that the petition in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

Alfred Bergfeldt, Plaintiff in Error, vs. The State of Washington. / 314

In Error to the Supreme Court of the State of Washington.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged

this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

369. The J. C. Turner Cypress Lumber Company of New Jersey and The J. C. Turner Cypress Lumber Company of New York, Plaintiffs in Error, vs. Seaboard Air Line Railway.

In Error to the Circuit Court of the United States for the Southern District of Florida

It appearing to the Court that a motion by counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court, that the writ of error in this cause, be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller,

436. Samuel Burak, Appellant, vs. Milo D. Campbell, U. S. Marshal for the Eastern District of Michigan.

Appeal from the District Court of the United States for the Eastern District of Michigan.

It appearing to the Court that a motion by counsel for appellant to dismiss this appeal has been filed. Therefore, in pursuance of said motion, it is now here ordered, ad-

appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

460 | Milwaukee Rubber Works Company, Petitioner vs. The Rubber Tire Wheel Co. | Writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of certiorari herein has been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of certiorari in this cause, be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

712. | National Bank of Kentucky of Louisville, Appellant, vs. Frank P. James, Ben L. Bruner & Ed. Farley. | Appeal from the Circuit Court of the United States for the Eastern District of Kentucky.

It appearing to the Court that a motion by counsel for appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged and decreed by this

same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller,

Order.

It is now here ordered by the Court that all the cases on the docket not decided and all the other business of the term not disposed of be, and the same are hereby, continued until the next term.

per Mr. Chief Justice Fuller

Proclamation being made, the Court is adjourned